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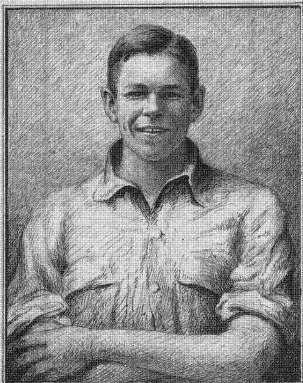
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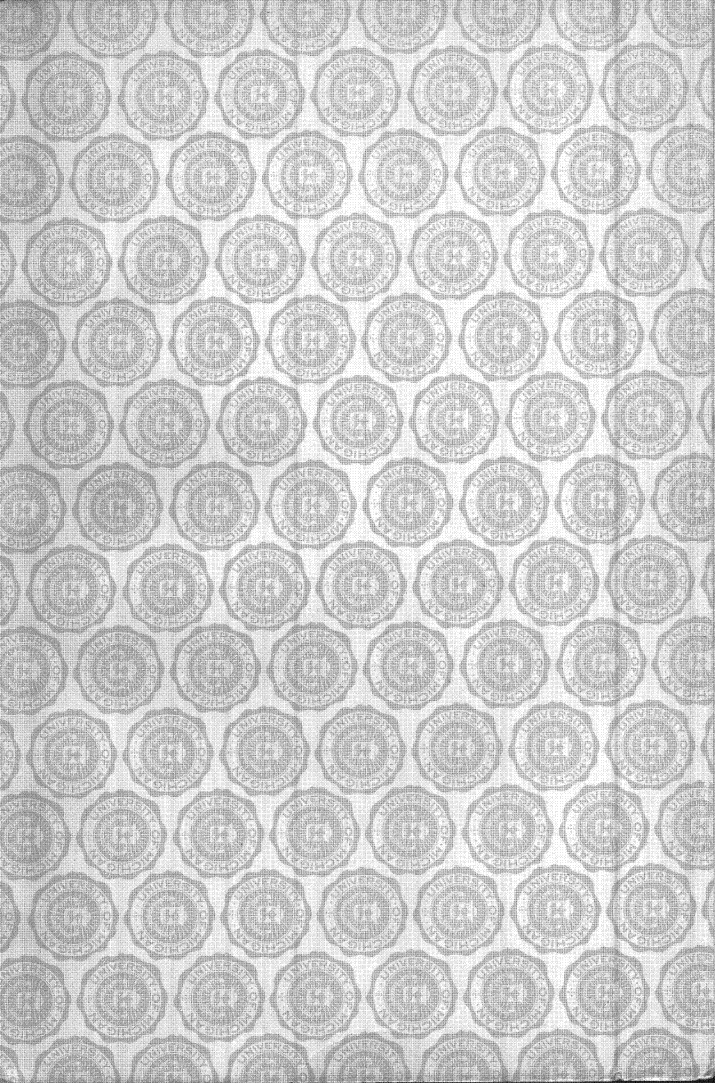
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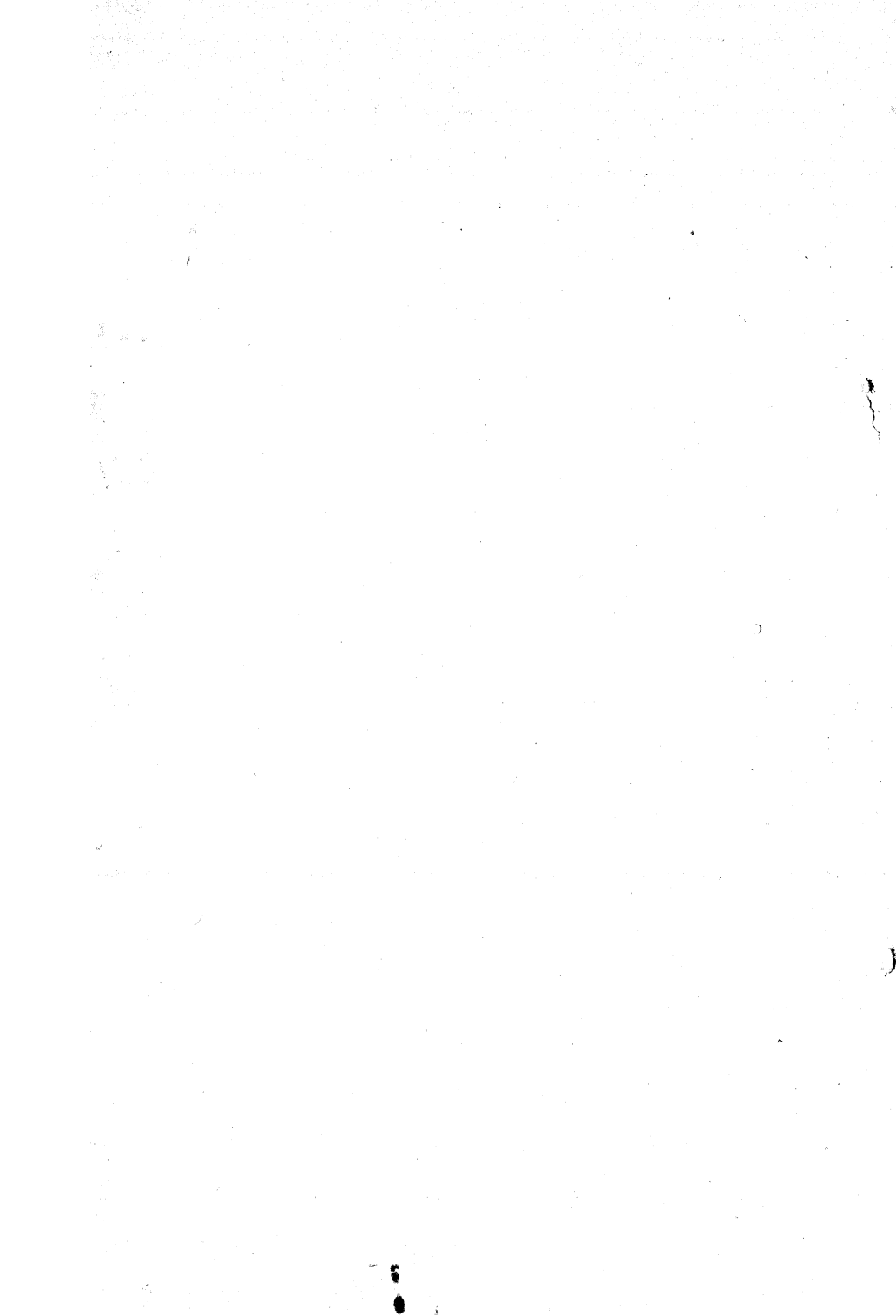
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TREATIES AND CONVENTIONS.

(1) CONVENTION,

BETWEEN COMMODORE THOMAS AP CATESBY JONES ON BEHALF OF THE UNITED STATES, AND KAUIKEAOULI (KAMEHAMEHA III), KING OF THE HAWAIIAN ISLANDS, AND HIS GUARDIANS, DEC. 23d, 1826.

ARTICLES OF ARRANGEMENT, made and concluded at Oahu, between Thomas Ap Catesby Jones, appointed by the United States, of the one part, and Kauikeaouli, King of the Sandwich Islands, and his Guardians, on the other:

ARTICLE I. The peace and friendship subsisting between the United States and their Majesties the Queen Regent and Kauikeaouli, King of the Sandwich Islands, and their subjects and people, are hereby confirmed and declared to be perpetual.

ARTICLE II. The ships and vessels of the United States (as well as their Consuls and all other citizens,) within the territorial jurisdiction of the Sandwich Islands, together with all their property, shall be inviolably protected against *all* enemies of the United States in time of war.

ARTICLE III. The contracting parties, being desirous to avail themselves of the bounties of Divine Providence, by promoting the commercial intercourse and friendship subsisting between the respective nations; for the better security of these desirable objects, their Majesties bind themselves to receive into their ports and harbors all ships and vessels of the United States, and to protect, to the uttermost of their capacity, all such ships and vessels, their cargoes, officers and crews, so long as they shall behave themselves peacefully, and not infringe the established laws of the land; the citizens of the United States being permitted to trade freely with the people of the Sandwich Islands.

ARTICLE IV. Their Majesties do further agree to extend the fullest protection within their control to all ships and vessels of the United States, which may be wrecked on their shores, and to render every assistance in their power to save the wreck and her apparel and cargo; and as a reward for the

assistance and protection which the people of the Sandwich Islands shall afford to all such distressed vessels of the United States, they shall be entitled to a salvage, or a portion of the property so saved, which proportion shall be fixed by a commission of disinterested persons, who shall be chosen equally by the parties.

ARTICLE V. Citizens of the United States, whether resident or transient, engaged in commerce or trading to the Sandwich Islands, shall be inviolably protected in their lawful pursuits; and shall be allowed to sue for and recover, by judgment, all claims against the subjects of His Majesty the King, according to strict principles of equity and the acknowledged practice of civilized nations.

ARTICLE VI Their Majesties do further agree and bind themselves to discountenance and use all practicable means to prevent desertion from all American ships which visit the Sandwich Islands; and to that end it shall be made the duty of all Governors, Magistrates, Chiefs of Districts, and all others in authority, to apprehend all deserters and deliver them over to the master of the vessel from which they have deserted: and for the apprehension of every such deserter who shall be delivered over as aforesaid, the master, owner or agent shall pay to the person or persons apprehending such deserter the sum of six dollars, if taken on the side of the island near which the vessel is anchored; but if taken on the opposite side of the island, the sum shall be twelve dollars; and if taken on any other island the reward shall be twenty-four dollars, and shall be a just charge against the wages of every such deserter.

ARTICLE VII. No tonnage duties or impost shall be exacted of any citizen of the United States which is not paid by the citizens or subjects of the nation most favored in commerce with the Sandwich Islands; and the citizens or subjects of the Sandwich Islands shall be allowed to trade with the United States and her Territories upon principles of equal advantage with the most favored nation.

Done in Council, at Honolulu, Island of Oahu, this 23d day of December, in the year of our Lord, 1826.

ELISABETA KAAHUMANU,
KARAIMOKU,
BOKI,
HOAPILI,
LIDIA NAMAHA,
THOMAS AP CATESBY JONES.

(2) ENGLISH TREATY,

OF LORD EDWARD RUSSELL, NOV. 16TH, 1836.

ARTICLES made and agreed on at Honolulu, Island of Oahu, the 16th of November, 1836.

ARTICLE I. English subjects shall be permitted to come with their vessels, and property of whatever kind, to the Sandwich Islands; they shall also be permitted to reside therein, as long as they conform to the laws of these Islands, and to build houses, and warehouses for their merchandize, with the consent of the King, and good friendship shall continue between the subjects of both countries, Great Britain and the Sandwich Islands.

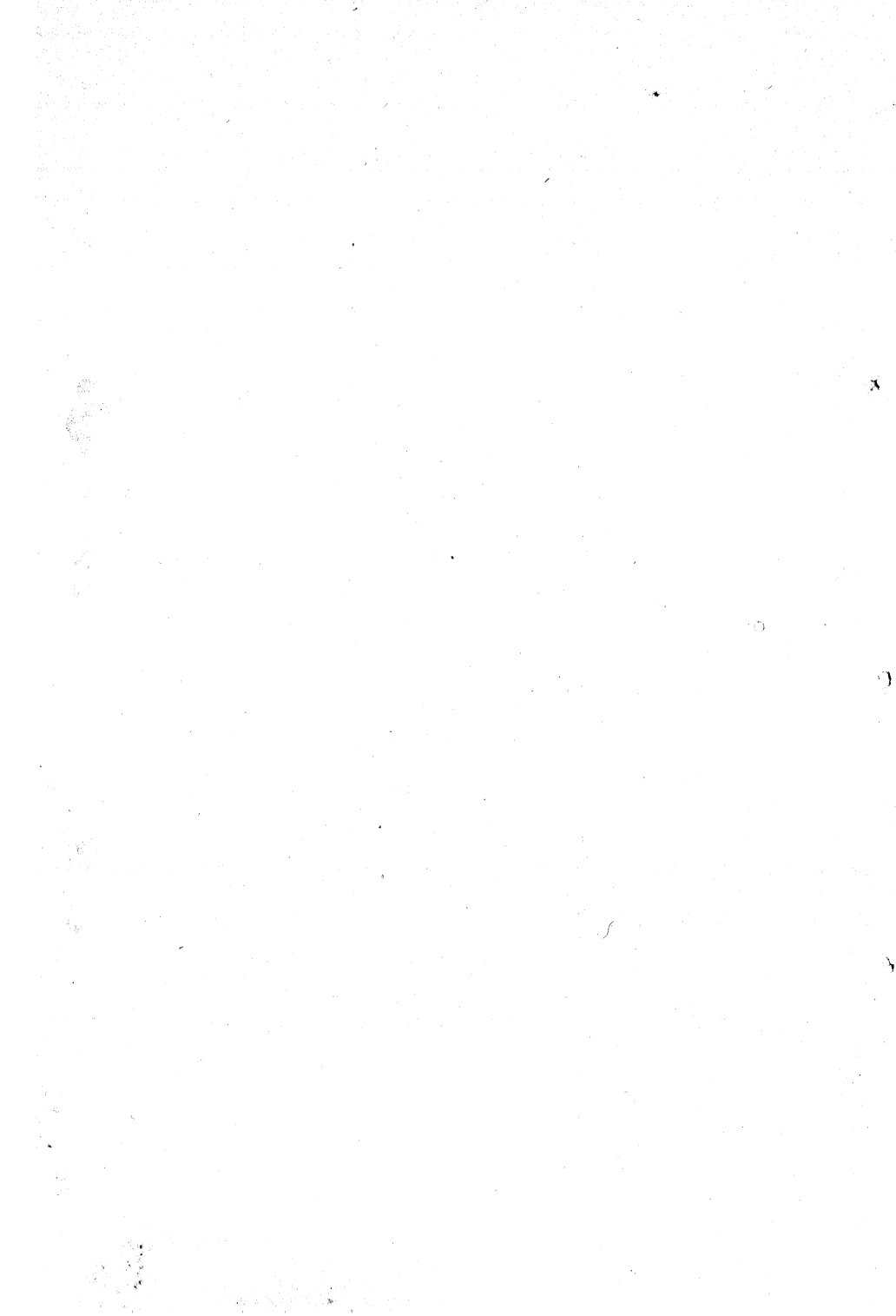
ARTICLE II. English subjects, resident at the Sandwich Islands, are at liberty to go to their own country, or elsewhere, either in their own or any other vessel; they may dispose of their effects, enclosures, houses, &c., with the previous knowledge of the King; and take the value with them, without any impediment whatever. The land on which houses are built is the property of the King, but the King shall have no authority to destroy the houses, or in any way injure the property of any British subject.

ARTICLE III. When an English subject dies on the Sandwich Islands, his effects shall not be searched or touched by any of the Governors or Chiefs, but shall be delivered into the hands of his executors or heirs, if present; but if no heir or executor appear, the Consul or his agent shall be executor for the same; if any debts were owing to the deceased, the Governor of the place shall assist and do all in his power to compel the debtors to pay their debts to the heir or executor, or the Consul, in case no heir or executor appears, and the Consul is to inform the King of the death of every British subject leaving property upon the Sandwich Islands.

KAMEHAMEHA III,

EDWARD RUSSEL,

Captain of H. B. M.'s ship *Acteon*.



(3) CONVENTION,

BETWEEN CAPT. LAPLACE, OF THE FRENCH FRIGATE
 "L'ARTEMISE," AND KAMEHAMEHA III, JULY 17TH, 1839.

CONVENTION, concluded between the King of Sandwich, Tameamea, and Post Captain Laplace, Commander of the French frigate *L'Artemise*, in the name of his Government:

ARTICLE I. There shall be perpetual peace and friendship between the King of the French and the King of Sandwich.

ARTICLE II. The French shall be protected in an efficient manner, in their persons and their properties, by the King of Sandwich, who shall grant them the authorization necessary, that they may pursue juridically His subjects against whom they may have just reclamations to make.

ARTICLE III. This protection shall extend to French vessels, their crews and their officers. In case of shipwreck, the Chiefs and inhabitants of the different districts (parties) of the Archipelago shall bring them assistance, and guarantee them from pillage. The compensation for salvage shall be regulated, in case of difficulties, by arbiters, nominated by the two parties.

ARTICLE IV. No Frenchmen, accused of any crime whatever, shall be judged otherwise than by a jury, composed of foreign residents, proposed by the Consul of France, and accepted by the Government of the Sandwich Islands.

ARTICLE V. The desertion of French sailors from French vessels shall be severely repressed by the local authorities, who shall employ all the means at their disposal to cause the arrest of the deserters, and the expense of capture shall be paid by the captains or owners of said vessels, according to the tariff adopted by other nations.

ARTICLE VI. French merchandise, or known to be of French procedure* (provenance), and especially wines and brandies, shall not be prohibited, nor pay a higher duty than five per cent. *ad valorem*. * (Sic)

ARTICLE VII. No duty of tonnage or importation shall be exacted of French merchandise, unless it be paid by the subjects of the nation most favored, in its commerce with the Sandwich Islands.

ARTICLE VIII. The subjects of King Tameamea shall have a right in the French possessions to all the advantages

which the French enjoy in the Sandwich Islands—and they shall in other respects be considered as belonging to the nation most favored in its relations with France.

Done and signed between the contracting parties, the 17th July, 1839.

KAMEHAMEHA III.

C. LAPLACE.

(4) FRENCH TREATY, MARCH 26, 1846.

LE temps ayant démontré la convenance de substituer un traité général aux diverses conventions mutuellement consenties jusqu'ici par la France et les Iles Sandwich, les Gouvernements Français et Havien sont réciproquement convenus des articles suivants, et les ont signés après avoir reconnu et arrêté que tout autre traité ou convention, actuellement existant entre les parties contractantes, serait désormais considéré comme nul et de nul effet :

ARTICLE I. Il y aura paix et amitié perpétuelles entre S. M. le Roi des Français et le Roi des Iles Sandwich, entre leurs héritiers et successeurs.

ARTICLE II. Les sujets de S. M. le Roi des Français demeurant dans les possessions du Roi des Iles Sandwich, joiront, quant aux droits civils, et pour ce qui regarde leurs personnes et leurs propriétés, de la même protection que s'ils étaient sujets indigènes, et le Roi des Iles Sandwich s'engage à leur accorder les mêmes droits et privilèges, que ceux accordés maintenant, ou qui pourront être accordés plus tard aux sujets de la nation la plus favorisée.

ARTICLE III. Aucun Français accusé d'un crime ou délit quelconque, ne pourra être jugé que par un jury composé de résidents indigènes, ou étrangers proposés par le Consul de France, et agréés par le Gouvernement des Iles Sandwich.

ARTICLE IV. Le Roi des Iles Sandwich étendra sa protection sur les navires Français leurs officiers et équipages: en cas de naufrage les chefs et habitans des différentes parties des Iles Sandwich devront leur porter secours et les garantir de tout pillage.

Les indemnités de sauvetage seront réglées, en cas de difficulté, par des arbitres nommés par les deux parties.

ARTICLE V. La désertion des marins, embarqués à bord des navires Français sera sévèrement réprimée par les Autorités locales, qui devront user de tous les moyens à leur disposition, pour arrêter les déserteurs. Toute dépense faite dans de juste limites pour s'emparer d'eux sera remboursée par les Capitaines ou propriétaires des dits navires.

ARTICLE VI. Les marchandises Françaises ou reconnues comme venant des possessions Françaises, ne pourront être prohibées ou soumises à un droit d'entrée plus élevé que celui de 5 pr. cent ad valorem. Les vins, eaux de vie et autres liqueurs spiritueuses sont exceptés et pourront être soumis à tout droit équitable, dont le Gouvernement des Iles

Sandwich jugera convenable de les frapper, mais à condition que ce droit ne sera jamais assez élevé pour devenir un empêchement absolu à l'importation des dits articles.

ARTICLE VII. Les droits de tonnage ou d'importation, ou tout autre droit levé sur des navires Français, ou sur des marchandises importées par des navires Français, ne devront point excéder les droits imposés aux navires, ou aux marchandises de la nation la plus favorisée.

ARTICLE VIII. Les sujets du Roi des Iles Sandwich seront traités sur le pied de la nation la plus favorisée, dans leurs relations commerciales ou autres avec la France.

Fait à Honolulu, le 26 Mars, 1846.

[L. s.]

EM. PERRIN,
Consul de France, Chargé d'une Mission
Spéciale, aux Iles Sandwich.

[L. s.]

R. C. WYLLIE,
His Hawaiian Majesty's Minister of
Foreign Relations.

[L. s.]

IOANE II,
Member of the Treasury Board.

(5) BRITISH TREATY, MARCH 26TH, 1846.

IT being desirable that a general convention should be substituted for the various instruments of mutual agreement at present existing between Great Britain and the Sandwich Islands, the following articles have, for that purpose and to that intent, been mutually agreed upon and signed between the Governments of Great Britain and the Sandwich Islands, and it has been determined that any other Treaty or Conventional Agreement, now existing between the respective parties, shall be henceforward abrogated and considered null and of no effect:

ARTICLE I. There shall be perpetual peace and amity between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the King of the Sandwich Islands, their heirs and successors.

ARTICLE II. The subjects of Her Britannic Majesty residing within the dominions of the King of the Sandwich Islands, shall enjoy the same protection in regard to their civil rights as well as to their persons and properties, as native subjects; and the King of the Sandwich Islands engages to grant to British subjects the same rights and privileges which now are, or hereafter may be, granted to or enjoyed by any other foreigners, subjects of the most favored nation.

ARTICLE III. No British subject accused of any crime whatever shall be judged otherwise than by a jury composed of native or foreign residents, proposed by the British Consul and accepted by the Government of the Sandwich Islands.

ARTICLE IV. The protection of the King of the Sandwich Islands shall be extended to all British vessels, their officers and crews. In case of shipwreck, the chiefs and inhabitants of the different parts of the Sandwich Islands shall succour them and secure them from plunder. The salvage dues shall be regulated, in case of dispute, by arbitrators chosen by both parties.

ARTICLE V. The desertion of seamen embarked on board of British vessels shall be severely repressed by the local authorities; who shall employ all the means at their disposal to arrest deserters; and all reasonable expenses of capture shall be defrayed by the captains and owners of the said vessels.

ARTICLE VI. British merchandise or goods recognized as coming from the British dominions, shall not be prohibited,

nor shall they be subject to an import duty higher than five per cent. *ad valorem*. Wines, brandies, and other spirituous liquors are however excepted from this stipulation, and shall be liable to such reasonable duty as the Hawaiian Government may think fit to lay upon them, provided always that the amount of duty shall not be so high as absolutely to prohibit the importation of the said articles.

ARTICLE VII. No tonnage, import or other duties shall be levied on British vessels, or goods imported in British vessels, beyond what are levied on vessels or goods of the most favored nation.

ARTICLE VIII. The subjects of the King of the Sandwich Islands shall, in their commercial or other relations with Great Britain, be treated on the footing of the most favored nation.

Done at Honolulu the 26th of March, 1846.

[L. S.]

WM. MILLER

H. B. M.'s Consul-General for the
Islands in the Pacific Ocean.

[L. S.]

R. C. WYLLIE,

His Hawaiian Majesty's Minister
of Foreign Relations.

[L. S.]

IOANE II,

Member of the Treasury Board.

(6) TREATY WITH DENMARK,

SIGNED AT HONOLULU, OCTOBER 19TH, 1846.

It being desirable that a general convention, and instrument of mutual agreement, should exist between Denmark and the Hawaiian Islands, the following articles have for that purpose, and to that intent, been mutually agreed upon and signed between the Governments of Denmark and the Hawaiian Islands:

ARTICLE I. There shall be perpetual peace and amity between His Majesty the King of Denmark, and His Majesty the King of the Hawaiian Islands, their heirs and successors.

ARTICLE II. The subjects of His Majesty the King of Denmark, residing within the dominions of the King of the Hawaiian Islands, shall enjoy the same protection in regard to their civil rights as well as to their persons and properties, as native subjects; and the King of the Hawaiian Islands engages to grant to Danish subjects the same rights and privileges which now are, or may hereafter be, granted to or enjoyed by any other foreigners, subjects of the most favored nation.

ARTICLE III. The protection of the King of the Hawaiian Islands shall be extended to all Danish vessels, their officers and crews, within the harbors and roads of his dominions. In time of war, they shall receive all possible protection against the enemies of the King of Denmark. In case of shipwreck, the local authorities and officers of the King shall use their utmost exertions to succour them and secure them from plunder.

The salvage dues shall be settled according to the general law of salvage, and, in case of dispute, shall be regulated by arbitrators chosen by both parties.

ARTICLE IV. The desertion of seamen belonging to Danish vessels shall be severely repressed by the local authorities, who shall employ all means at their disposal to arrest and confine deserters, and the lawful expenses shall be defrayed by the captain or owners. In such cases, no unnecessary severity is to be used, and due notice is to be immediately given to the Danish Consul, agreeably to the 6th article of this treaty.

ARTICLE V. Danish subjects shall be allowed to reside or settle on any part of the dominions of the King of the Hawaiian Islands, upon obtaining a document certifying that

they are worthy persons, from the Danish Consul, whose duty it is not to give any such document to others than *bona fide* subjects of His Majesty the King of Denmark.

In the case of Danish sailors wishing to remain on the islands, permission shall be previously obtained of the Government, by the Danish Consul.

ARTICLE VI. It is agreed that the Danish Consul shall be instructed to zealously attempt to settle amicably and extra-judicially, all difficulties arising with Danish subjects; and that when any case is brought before the court of foreign causes, the presiding judge shall, with the least possible delay, communicate knowledge thereof to the Danish Consul; also that when Danish sailors or subjects are committed, in consequence of police or other offences, information shall be conveyed to him, forthwith, by the Prefect or other officer of the police.

ARTICLE VII. No Danish productions, or any other goods on board of, or imported in Danish ships, that can be imported by other foreign ships, shall be prohibited, nor pay more than those duties levied on goods of the most favored nation. Any alteration in the duties levied on goods, shall not take effect nor be enforced until twelve calendar months after the first public notification of such change.

ARTICLE VIII. Danish merchandise and property, or goods imported in Danish vessels, liable to an entrance-duty higher than 5 per cent. *ad valorem*, shall be allowed to be bonded, paying only the usual transit duty.

Until the erection of a building by the Hawaiian Government for such warehousing and bonding, such Danish merchandise or property, or goods imported in Danish vessels, shall be allowed to be warehoused and bonded in private warehouses, under the seals and superintendence of the Hawaiian custom-house officers, and the responsibility of the owner of the goods, or the consignee.

ARTICLE IX. All Danish vessels shall have the right and privilege of disposing of their cargoes, or any part thereof, at all or any of the ports of the Hawaiian dominions, now open, or that may hereafter be opened to foreign commerce, and to take in any produce of the Hawaiian Islands, which they may receive in payment of such cargoes. But they shall not be allowed to take any goods or merchandise or freight from one island or port to another, such coasting trade being restricted to bottoms sailing under the Hawaiian flag.

ARTICLE X. The subjects of His Majesty, the King of the Hawaiian Islands, shall, in their commercial relations, or relations of any other nature, with Denmark and her possessions, be treated on the footing of the most favored nation.

Done at Honolulu this 19th day of October, 1846.

[L. s.]

R. C. WYLLIE,

His Hawaiian Majesty's Minister of Foreign Relations,
and Member of His Council of State.

[L. s.]

STEEN BILLE,

His D. M.'s Chamberlain, and Post Captain of the R. N.;
Knight of Danebroge, and of the French order "Pour
le Merite Militaire," commanding H. D. M.'s Frigate
Galathea.

ADDITIONAL ARTICLE. This treaty shall not be permanently binding till it receive the ratification of His Majesty the King of Denmark; but in the meanwhile, for the sake of what Danish vessels or subjects may arrive, it is mutually agreed that it shall take effect, provisionally, from the date of its ratification by His Majesty the King of the Hawaiian Islands.

Done at Honolulu this 19th day of October, 1846.

[L. s.]

R. C. WYLLIE,

His Hawaiian Majesty's Minister of Foreign Relations,
and Member of His Council of State.

[L. s.]

STEEN BILLE,

His D. M.'s Chamberlain, and Post Captain of the R. N.;
Knight of Danebroge, and of the French order "Pour
le Merite Militaire," commanding H. D. M.'s Frigate
Galathea.



(7) TREATY WITH HAMBURG, JANUARY 8TH, 1848.

IT being desirable that a general convention and instrument of mutual agreement should exist between Hamburg and the Hawaiian Islands, the following Articles have, for that purpose and to that intent, been mutually agreed upon and signed between the Governments of Hamburg and that of the Hawaiian Islands:

ARTICLE I. There shall be perpetual peace and amity between the Republic and free Hanseatic City of Hamburg, and His Majesty the King of the Hawaiian Islands, their heirs and successors.

ARTICLE II. The citizens of the Republic of Hamburg, residing within the dominions of the King of the Hawaiian Islands, shall enjoy the same protection in regard to their civil rights, as well as to their persons and properties, as native subjects; and the King of the Hawaiian Islands engages to grant to citizens of the Republic of Hamburg the same rights and privileges which now are, or may hereafter be, granted to or enjoyed by any other foreigners, subjects of the most favored nation.

ARTICLE III. The protection of the King of the Hawaiian Islands shall be extended to all Hamburg vessels, their officers and crews, within the harbors and roads of his dominions. In time of war they shall receive all possible protection against the enemies of the Republic of Hamburg. In case of shipwreck, the local authorities and officers of the King shall use their utmost exertions to succour them and secure them from plunder. The salvage dues shall be settled according to the general law of salvage, and in case of dispute, shall be regulated by arbitrators chosen by both parties.

ARTICLE IV. The desertion of seamen belonging to Hamburg vessels shall be severely repressed by the local authorities, who shall employ all means at their disposal to arrest and confine deserters, and the lawful expenses shall be defrayed by the captain or owners. In such case no unnecessary severity is to be used, and due notice is to be immediately given to the Hamburg Consul, agreeably to the 6th Article of this Treaty.

ARTICLE V. Hamburg citizens shall be allowed to reside or settle on any part of the dominions of the King of the Sandwich Islands, upon obtaining a document certifying that they are worthy persons, from the Hamburg Consul, whose duty it is not to give any such document to others than *bona fide* citizens of the Republic of Hamburg. In the

case of Hamburg sailors wishing to remain on the islands, permission shall be previously obtained of the government by the Hamburg Consul.

ARTICLE VI. It is agreed that the Hamburg Consul shall be instructed to zealously attempt to settle amicably, and extra judicially, all difficulties arising with Hamburg citizens; and that when any case is brought before the court of foreign causes, the presiding judge shall, with the least possible delay, communicate knowledge thereof to the Hamburg Consul, also that when Hamburg sailors or citizens are committed, in consequence of police or other offences, information shall be conveyed to him, forthwith, by the Prefect or other officer of the police.

ARTICLE VII. No productions of the Republic of Hamburg or any other goods on board of or imported in Hamburg ships, that can be imported by other foreign ships, shall be prohibited, nor pay more than those duties levied on goods of the most favored nation. Any alteration in the duties levied on goods, shall not take effect nor be enforced, until twelve calendar months after the first public notification of such change.

ARTICLE VIII. Hamburg merchandise and property, or goods imported in Hamburg vessels, liable to an entrance duty higher than 5 per cent. *ad valorem*, shall be allowed to be bonded, paying only the usual transit duty.

ARTICLE IX. All Hamburg vessels shall have the right and privilege of disposing of their cargoes, or any part thereof, at all or any of the ports of the Hawaiian dominions, now open, or that may hereafter be opened to foreign commerce, and to take in any produce of the Hawaiian Islands which they may receive in payment of such cargoes. But they shall not be allowed to take any goods or merchandise or freight from one island or port to another, such coasting trade being restricted to bottoms sailing under the Hawaiian flag.

ARTICLE X. The subjects of His Majesty the King of the Hawaiian Islands shall, in their commercial relations, or relations of any other nature, with the Republic and free Hanseatic City of Hamburg, and her dependencies, be treated on the footing of the most favored nation.

Done at Honolulu this 8th day of January, 1848.

(L. S.)

E. A. SÜWERKROP,
Consul and Plenipotentiary for the Republic and
free Hanseatic City of Hamburg.

(L. S.)

R. C. WYLLIE,
His Hawaiian Majesty's Minister of Foreign Relations
and Member of his Council of State.

ADDITIONAL ARTICLE. This treaty shall not be permanently binding till it receives the ratification of the Senate of the Republic, and free Hanseatic City of Hamburg, but in the meanwhile, for the sake of Hamburg vessels or citizens arriving, it is mutually agreed that it shall take effect, provisionally, from the date of its ratification by His Majesty the King of the Hawaiian Islands.

Done at Honolulu, this 8th day of January, 1848.

(L. S.)

R. C. WYLLIE,

His Hawaiian Majesty's Minister of Foreign Relations
and Member of His Council of State.

(L. S.)

E. A. SÜWERKROP,

Consul and Plenipotentiary for the Republic and Free
Hanseatic City of Hamburg.



(8) AGREEMENT,

TOUCHING CONSULAR NOTICES UNDER THE DANISH AND
HAMBURG TREATIES,

THE undersigned hereby agree that the notices provided for in the 4th and 6th Articles of the Treaties with Denmark and Hamburg, shall be given as follows:

1. Whenever any person belonging to a Danish or Hamburg vessel shall be arrested or imprisoned, on proof or notification of being a deserter from such vessel, the marshal or other chief officer of the police, shall notify the same verbally, or if necessary, in writing, to the Consul of Denmark or Hamburg, as the case may be, at the time, or before 12 o'clock of the next day following such arrest or imprisonment.

2. When any cause of importance in which a subject of Denmark or citizen of Hamburg may be plaintiff or defendant, shall come before the Judge of foreign causes in Honolulu, or any other port or town where a Consular Agent of Denmark or Hamburg shall have been recognized, the presiding Judge shall, with the least possible delay, communicate knowledge thereof, in writing, to the resident Consul of Denmark or Hamburg, as the case may be.

3. When a subject of Denmark or citizen of Hamburg, in consequence of police or other offenses, committed within the jurisdiction of the Hawaiian Kingdom, shall have been arrested or imprisoned, the Marshal or other chief officer of the police, shall notify the same verbally, or, if necessary, in writing, to the Consul of Denmark or Hamburg, as the case may be, at the time, or before 12 o'clock of the next day following such arrest or imprisonment.

4. In all police cases of slight importance, where the penalty is merely correctional and acquiesced in, without appeal by the party delinquent, it shall not be necessary to give any notice to the Consul, whether such party be a subject of Denmark or citizen of Hamburg.

5. In all ports and places where there may exist no recognized Consul or Consular Agent of Denmark or Hamburg, the above notices shall be dispensed with, except where the proceedings are appealed against according to law, by any subject of Denmark or citizen of Hamburg, in which cases the local authorities are to report the case to the Minister of Foreign Relations in Honolulu, and it shall be incumbent on

him, with the least possible delay, to notify, in writing, the Consul of Denmark or Hamburg, as the case may be.

6. A copy of these practical rules shall be submitted to the Governments of Hawaii, Denmark and Hamburg for their approval, but they shall take effect *ad interim* in this Kingdom after their approval by the King.

Done at Honolulu this 25th day of January, 1848.

[L. s.]

R. C. WYLLIE,

His Hawaiian Majesty's Minister of Foreign Relations
and Member of his Council of State.

[L. s.]

E. A. SÜWERKROP,

Royal Danish Consul, Consul and Plenipotentiary for
the Republic and free Hanseatic City of Hamburg.

Approved,

KAMEHAMEHA,

KEONI ANA,

PALACE, January 27th, 1848.

(9) TREATY WITH THE UNITED STATES,

RATIFIED ON THE 19TH OF AUGUST, 1850.

KAMEHAMEHA III., *King of the Hawaiian Islands, to all to whom these presents shall come, GREETING:*

KNOW YE, that whereas a treaty of friendship, commerce and navigation between Our Kingdom and the United States of North America, was concluded and signed by Our and their Plenipotentiaries, in the city of Washington, on the 20th day of December, 1849, which treaty is word for word, as follows:

The UNITED STATES OF AMERICA and HIS MAJESTY the KING of the HAWAIIAN ISLANDS, equally animated with the desire of maintaining the relations of good understanding which have hitherto so happily subsisted between their respective states, and consolidating the commercial intercourse between them, have agreed to enter into negotiations for the conclusion of a treaty of friendship, commerce and navigation, for which purpose they have appointed Plenipotentiaries, that is to say:

The President of the United States of America John M. Clayton, Secretary of State of the United States; and His Majesty the King of the Hawaiian Islands, James Jackson Jarves, accredited as His special commissioner to the Government of the United States; who, after having exchanged their full powers, found in good and due form, have concluded and signed the following articles:

ARTICLE I. There shall be perpetual peace and amity between the United States and the King of the Hawaiian Islands, His heirs and His successors.

ARTICLE II. There shall be reciprocal liberty of commerce and navigation between the United States of America and the Hawaiian Islands. No duty of customs, or other impost, shall be charged upon any goods, the produce or manufacture of one country, upon importation from such country into the other, other or higher than the duty or impost charged upon goods of the same kind, the produce or manufacture of, or imported from, any other country: and the United States of America and His Majesty the King of the Hawaiian Islands do hereby engage, that the subjects or citizens of any other state shall not enjoy any favor, privilege or immunity whatever, in matters of commerce and navigation, which shall not also, at the same time, be extended to the

subjects or citizens of the other contracting parties gratuitously, if the concession in favor of that other state shall have been gratuitous, and in return for a compensation, as nearly as possible, of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

ARTICLE III. All articles the produce and manufacture of either country which can legally be imported into either country from the other, in ships of that other country, and thence coming, shall, when so imported, be subject to the same duties, and enjoy the same privileges, whether imported in ships of the one country, or in ships of the other; and in like manner, all goods which can legally be exported or re-exported from either country to the other, in ships of that other country, shall, when so exported or re-exported, be subject to the same duties, and be entitled to the same privileges, drawbacks, bounties and allowances, whether exported in ships of the one country or in ships of the other; and all goods and articles, of whatever description, not being of the produce or manufacture of the United States, which can be legally imported into the Sandwich Islands, shall, when so imported in vessels of the United States, pay no other or higher duties, imposts or charges, than shall be payable upon the like goods and articles, when imported in the vessels of the most favored foreign nation other than the nation of which the said goods and articles are the produce or manufacture.

ARTICLE IV. No duties of tonnage, harbor, light-houses, pilotage, quarantine, or other similar duties, of whatever nature, or under whatever denomination, shall be imposed in either country upon the vessels of the other, in respect of voyages between the United States of America and the Hawaiian Islands, if laden, or in respect of any voyage, if in ballast, which shall not be equally imposed in the like cases on national vessels.

ARTICLE V. It is hereby declared, that the stipulations of the present treaty are not to be understood as applying to the navigation and carrying trade between one port and another situated in the States of either contracting party, such navigation and trade being reserved exclusively to national vessels.

ARTICLE VI. Steam vessels of the United States which may be employed by the Government of the said States, in the carrying of their public mails across the Pacific Ocean,

or from one port in that ocean to another, shall have free access to the ports of the Sandwich Islands, with the privilege of stopping therein to refit, to refresh, to land passengers and their baggage, and for the transaction of any business pertaining to the public mail service of the United States, and shall be subject in such ports to no duties of tonnage, harbor, light-houses, quarantine, or other similar duties of whatever nature or under whatever denomination.

ARTICLE VII. The whaleships of the United States shall have access to the ports of Hilo, Kealakekua and Hanalei, in the Sandwich Islands, for the purposes of refitment and refreshment, as well as to the ports of Honolulu and Lahaina, which only are ports of entry for all merchant vessels, and in all the above-named ports, they shall be permitted to trade or barter their supplies or goods, excepting spirituous liquors, to the amount of two hundred dollars *ad valorem* for each vessel, without paying any charge for tonnage or harbor dues of any description, or any duties or imposts whatever upon the goods or articles so traded or bartered. They shall also be permitted, with the like exemption from all charges for tonnage and harbor dues, further to trade or barter, with the same exemption as to spirituous liquors, to the additional amount of one thousand dollars, *ad valorem*, for each vessel, paying upon the additional goods, and articles so traded and bartered, no other or higher duties, than are payable on like goods, and articles, when imported in the vessels and by the citizens or subjects of the most favored foreign nation. They shall also be permitted to pass from port to port of the Sandwich Islands for the purpose of procuring refreshments, but they shall not discharge their seamen or land their passengers in the said Islands, except at Lahaina and Honolulu, and in all ports named in this article, the whaleships of the United States shall enjoy in all respects whatsoever, all the rights, privileges and immunities, which are enjoyed by, or shall be granted to, the whaleships of the most favored foreign nation. The like privilege of frequenting the three ports of the Sandwich Islands, aboved named in this article, not being ports of entry for merchant vessels, is also guaranteed to all the public armed vessels of the United States. But nothing in this article shall be construed as authorizing any vessel of the United States, having on board any disease usually regarded as requiring quarantine, to enter, during the continuance of such disease on board, any port of the Sandwich Islands, other than Lahaina or Honolulu.

ARTICLE VIII. The contracting parties engage, in regard to the personal privileges that the citizens of the United States of America shall enjoy in the dominions of His Majesty the King of Hawaiian Islands, and the subjects of His said Majesty in the United States of America, that they shall have free and undoubted right to travel and to reside in the states of the two high contracting parties, subject to the same precautions of police which are practised towards the subjects or citizens of the most favored nations. They shall be entitled to occupy dwellings and warehouses, and to dispose of their personal property of every kind and description, by sale, gift, exchange, will, or in any other way whatever, without the smallest hindrance or obstacle; and their heirs or representatives, being subjects or citizens of the other contracting party, shall succeed to their personal goods, whether by testament *ab intestator*; and may take possession thereof, either by themselves, or by others acting for them, and dispose of the same at will, paying to the profit of the respective governments such dues only as the inhabitants of the country wherein the said goods are, shall be subject to pay in like cases. And in case of the absence^o of the heirs and representative, such care shall be taken of the said goods as would be taken of the goods of a native of the same country in like case, until the lawful owner may take measures for receiving them. And if a question should arise among several claimants as to which of them said goods belong, the same shall be decided finally by the laws and judges of the land wherein the said goods are. Where, on the decease of any person holding real estate within the territories of one party, such real estate would, by the laws of the land, descend on a citizen or subject of the other, were he not disqualified by alienage, such citizen or subject shall be allowed a reasonable time to sell the same, and to withdraw the proceeds without molestation, and exempt from all duties of detraction on the part of the government of the respective states. The citizens or subjects of the contracting parties shall not be obliged to pay, under any pretense whatever, any taxes or impositions, other or greater than those which are paid, or may hereafter be paid, by the subjects or citizens of the most favored nation in the respective states of the high contracting parties. They shall be exempt from all military service, whether by land or by sea; from forced loans, and from every extraordinary contribution not general and by laws established. Their dwellings, warehouses, and all premises appertaining thereto,

destined for the purposes of commerce or residence, shall be respected. No arbitrary search of, or visit to their houses, and no arbitrary examination or inspection whatever of the books, papers or accounts of their trade, shall be made; but such measures shall be executed only in conformity with the legal sentence of a competent tribunal; and each of the two contracting parties engages that the citizens or subjects of the other residing in their respective states, shall enjoy their property and personal security, in as full and ample manner as their own citizens or subjects, or the subjects or citizens of the most favored nation, but subject always to the laws and statutes of the two countries respectively.

ARTICLE IX. The citizens and subjects of each of the two contracting parties shall be free in the States of the other to manage their own affairs themselves, or to commit those affairs to the management of any persons whom they may appoint as their broker, factor or agent, nor shall the citizens and subjects of the two contracting parties be restrained in their choice of persons to act in such capacities, nor shall they be called upon to pay any salary or remuneration to any person whom they shall not choose to employ. Absolute freedom shall be given in all cases to the buyer and seller to bargain together and to fix the price of any goods or merchandise imported into, or to be exported from the States and dominions of the two contracting parties; save and except generally such cases wherein the laws and usages of the country may require the intervention of any special agents in the States and dominions of the contracting parties. But nothing contained in this or any other article of the present treaty shall be construed to authorize the sale of spirituous liquors to the natives of the Sandwich Islands farther than such sale may be allowed by the Hawaiian laws.

ARTICLE X. Each of the two contracting parties may have, in the ports of the other, consuls, vice-consuls, and commercial agents, of their own appointment, who shall enjoy the same privileges and powers with those of the most favored nation; but if any such consuls shall exercise commerce, they shall be subject to the same laws and usages to which the private individuals of their nation are subject in the same place. The said consuls, vice-consuls, and commercial agents are authorized to require the assistance of the local authorities for the search, arrest, detention and imprisonment of the deserters from the ships of war and merchant vessels of their country. For this purpose, they shall apply

to the competent tribunals, judges and officers, and shall in writing demand the said deserters, proving by the exhibition of registers of the vessels, the rolls of the crews, or by other official documents, that such individuals formed part of the crews; and this reclamation being thus substantiated, the surrender shall not be refused. Such deserters, when arrested, shall be placed at the disposal of the said consuls, vice-consuls or commercial agents, and may be confined in the public prisons at the request and cost of those who shall claim them, in order to be detained until the time when they shall be restored to the vessel to which they belonged, or sent back to their own country, by a vessel of the same nation, or any other vessel whatsoever. The agents, owners or masters of vessels on account of whom the deserters have been apprehended, upon the requisition of the local authorities shall be required to take or send away such deserters from the states and dominions of the contracting parties, or give such security for their good conduct as the law may require. But if not sent back nor reclaimed within six months from the day of their arrest, or if all the expenses of such imprisonment are not defrayed by the party causing such arrest and imprisonment, they shall be set at liberty, and shall not be again arrested for the same cause. However, if the deserters should be found to have committed any crime or offense, their surrender may be delayed until the tribunal before which their case shall be depending shall have pronounced its sentence, and such sentence shall have been carried into effect.

ARTICLE XI. It is agreed that perfect and entire liberty of conscience shall be enjoyed by the citizens and subjects of both the contracting parties, in the countries of the one and the other, without their being liable to be disturbed or molested on account of their religious belief. But nothing contained in this article shall be construed to interfere with the exclusive right of the Hawaiian Government to regulate for itself the schools which it may establish or support within its jurisdiction.

ARTICLE XII. If any ships of war or other vessels be wrecked on the coasts of the states or territories of either of the contracting parties, such ships or vessels, or any parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise which shall be saved therefrom, or the produce thereof if sold, shall be faithfully restored with the least possible delay to the proprietors,

upon being claimed by them, or by their duly authorized factors; and if there are no such proprietors or factors on the spot, then the said goods and merchandise, or the proceeds thereof, as well as all the papers found on board such wrecked ships or vessels, shall be delivered to the American or Hawaiian consul, or vice-consul, in whose district the wreck may have taken place; and such consul, vice-consul, proprietors or factors, shall pay only the expenses incurred in the preservation of the property, together with the rate of salvage and expenses of quarantine which would have been payable in the like case of a wreck of a national vessel; and the goods and merchandise saved from the wreck shall not be subject to duties unless entered for consumption; it being understood that in case of any legal claim upon such wreck, goods or merchandise, the same shall be referred for decision to the competent tribunals of the country.

ARTICLE XIII. The vessels of either of the two contracting parties which may be forced by stress of weather or other cause into one of the ports of the other, shall be exempt from all duties of port or navigation paid for the benefit of the State, if the motives which led to their seeking refuge be real and evident, and if no cargo be discharged or taken on board, save such as may relate to the subsistence of the crew, or be necessary for the repair of the vessels, and if they do not stay in port beyond the time necessary, keeping in view the cause which led to their seeking refuge.

ARTICLE XIV. The contracting parties mutually agree to surrender, upon official requisition, to the authorities of each, all persons who, being charged with the crimes of murder, piracy, arson, robbery, forgery, or the utterance of forged paper, committed within the jurisdiction of either, shall be found within the territories of the other; provided, that this shall only be done upon such evidence of criminality as, according to the laws of the place where the person so charged shall be found, would justify his apprehension and commitment for trial if the crime had there been committed; and the respective judges and other magistrates of the two governments, shall have authority, upon complaint made under oath, to issue a warrant for the apprehension of the person so charged, that he may be brought before such judges or other magistrates respectively, to the end that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge, it shall be the duty of the examining judge

or magistrate to certify the same to the proper executive authority, that a warrant may issue for the surrender of such fugitive. The expense of such apprehension and delivery shall be borne and defrayed by the party who makes the requisition and receives the fugitive.

ARTICLE XV. So soon as steam or other mail packets under the flag of either of the contracting parties, shall have commenced running between their respective ports of entry, the contracting parties agree to receive at the Post Offices of those ports all mailable matter, and to forward it as directed, the destination being to some regular Post Office of either country; charging thereupon the regular postal rates as established by law in the territories of either party receiving said mailable matter, in addition to the original postage of the office whence the mail was sent. Mails for the United States shall be made up at regular intervals at the Hawaiian Post Office, and dispatched to ports of the United States, the Postmasters at which ports shall open the same, and forward the enclosed matter as directed, crediting the Hawaiian Government with their postages as established by law and stamped upon each manuscript or printed sheet.

All mailable matter destined for the Hawaiian Islands shall be received at the several Post-offices in the United States and forwarded to San Francisco or other ports on the Pacific Coast of the United States, whence the Post-masters shall dispatch it by the regular mail packets to Honolulu, the Hawaiian Government agreeing on their part to receive and collect for and credit the Post-office Department of the United States with the United States rates charged thereupon. It shall be optional to pre-pay postage on letters in either country, but postage on printed sheets and newspapers shall in all cases be pre-paid. The respective Post-office Departments of the contracting parties shall, in their accounts, which are to be adjusted annually, be credited with all dead letters returned.

ARTICLE XVI. The present treaty shall be in force from the date of the exchange of the ratifications for the term of ten years, and further, until the end of twelve months after either of the contracting parties shall have given notice to the other of its intention to terminate the same, each of the said contracting parties reserving to itself the right of giving such notice at the end of the said term of ten years, or at any subsequent term. Any citizen or subject of either party infringing the articles of this treaty shall be held responsible

for the same, and the harmony and good correspondence between the two governments shall not be interrupted thereby,, each party engaging in no way to protect the offender or sanction such violation.

ARTICLE XVII. The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate of the said States, and by His Majesty the King of the Hawaiian Islands, by and with the advice of His Privy Council of State, and the ratifications shall be exchanged at Honolulu within eighteen months from the date of its signature, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same in triplicate, and have thereto affixed their Seals. Done at Washington, in the English language, the twentieth day of December, in the year One Thousand Eight Hundred and Forty-nine.

(Seal.)

JOHN M. CLAYTON.

(Seal.)

JAMES JACKSON JARVES.

AND, WHEREAS, we have carefully examined all the points and articles thereof, by and with the advice of Our Privy Council of State, We have confirmed and ratified the foregoing Treaty, and We do confirm and ratify the same, in the most effectual manner, promising on Our faith and word as King, for Us and Our successors, to fulfill and observe it, faithfully and scrupulously in all its clauses.

In faith of which We have signed this ratification with Our own hand, and have affixed thereto the great seal of Our Kingdom.

Given at Our Palace at Honolulu, this nineteenth day of August, in the Year of our Lord, One Thousand Eight Hundred and Fifty, and in the twenty-fifth of Our reign.

(Seal.)

KAMEHAMEHA.

KEONI ANA.

By the King and the Premier.

R. C. WYLLIE,

Minister of Foreign Relations.

EXCHANGE OF RATIFICATIONS. — We, the undersigned, Robert Crichton Wyllie, Minister of Foreign Relations of His Majesty the King of the Hawaiian Islands, and Charles Bunker, Consul of the United States for Lahaina, having been authorized by our respective Governments to exchange the ratifications of the Treaty of Friendship, Commerce and Navigation

between His Hawaiian Majesty and the United States, concluded and signed at Washington, on the twentieth day of December, one thousand eight hundred and forty-nine, certify: That we have this day met for that purpose, and, after comparing the said ratifications each with the other, and both with the original of said Treaty, have effected the exchange accordingly.

In witness thereof, we have signed this certificate, at Honolulu, this twenty-fourth day of August, one thousand eight hundred and fifty, and have thereunto affixed our respective seals.

(L. S.)

(L. S.)

R. C. WYLLIE,
CHARLES BUNKER.

(10) TREATY WITH GREAT BRITAIN,

RATIFIED ON THE 6TH OF MAY, 1852.

KAMEHAMEHA III., King of the Hawaiian Islands, to all to whom these presents shall come. GREETING:

WHEREAS, a Treaty of Friendship, Commerce and Navigation between Us and Her most Gracious Majesty the Queen of Great Britain and Ireland, Defender of the Faith, &c., &c., &c., was concluded and signed at Honolulu, on the tenth day of July, in the year of our Lord one thousand eight hundred and fifty-one, by the Plenipotentiaries of Us and of the said Queen of Great Britain, duly and respectively authorized for that purpose, which treaty is word for word, as follows:

HER MAJESTY THE QUEEN of the United Kingdom of Great Britain and Ireland, and HIS MAJESTY THE KING of the Hawaiian Islands, being desirous to maintain and improve the relations of good understanding which happily subsist between them, and to promote the commercial intercourse between their respective subjects, have deemed it expedient to conclude a Treaty of Friendship, Commerce and Navigation, and have for that purpose named as their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of Great Britain and Ireland, William Miller, Esquire, Her Consul General for the Islands in the Pacific Ocean:

And His Majesty the King of the Hawaiian Islands, Robert Crichton Wyllie, Esquire, His Minister of Foreign Relations, Member of his Privy Council of State and of His House of Nobles:

Who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I. There shall be perpetual friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Her Heirs and Successors, and the King of the Hawaiian Islands, His Heirs and Successors, and between their respective subjects.

ARTICLE II. There shall be between all the dominions of Her Britannic Majesty, and the Hawaiian Islands, a reciprocal freedom of commerce. The subjects of each of the two contracting parties respectively, shall have liberty freely and securely to come with their ships and cargoes, to all places, ports and rivers in the territories of the other, where trade

with other nations is permitted. They may remain and reside in any part of the said territories respectively, and hire and occupy houses and warehouses; and may trade, by wholesale or retail, in all kinds of produce, manufactures, and merchandise of lawful commerce; enjoying the same exemptions and privileges as native subjects, and subject always to the same laws and established customs as native subjects.

In like manner, the ships of war of each contracting party respectively, shall have liberty to enter into all harbors, rivers, and places, within the territories of the other, to which the ships of war of other nations are or may be permitted to come, to anchor there, and to remain, and refit; subject always to the laws and regulations of the two countries respectively.

The stipulations of this article do not apply to the coasting trade, which each contracting party reserves to itself, respectively, and shall regulate according to its own laws.

ARTICLE III. The two contracting parties hereby agree that any favor, privilege, or immunity whatever, in matters of commerce or navigation, which either contracting party has actually granted, or may hereafter grant, to the subjects or citizens of any other State shall be extended to the subjects or citizens of the other contracting party, gratuitously if the concession in favor of that other State shall have been gratuitous, or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

ARTICLE IV. No other or higher duties shall be imposed on the importation into the dominions of Her Britannic Majesty, of any article the growth, produce or manufacture of the Hawaiian Islands, and no other or higher duties shall be imposed on the importation into the Hawaiian Islands, of any article the growth, produce or manufacture of Her Britannic Majesty's dominions, than are or shall be payable on the like article, being the growth, produce or manufacture of any other foreign country.

Nor shall any other or higher duties or charges be imposed, in the territories of either of the contracting parties on the exportation of any article to the territories of the other, than such as are or may be payable, on the exportation of the like article, to any other foreign country. No prohibition shall be imposed upon the importation of any article, the growth, produce or manufacture of the territories of either of the two

contracting parties, into the territories of the other, which shall not equally extend to the importation of the like articles, being the growth, produce or manufacture of any other country. Nor shall any prohibition be imposed upon the exportation of any article from the territories of either of the two contracting parties to the territories of the other, which shall not equally extend to the exportation of the like article to the territories of all other nations.

ARTICLE V. No other or higher duties or charges on account of tonnage, light, or harbor dues, pilotage, quarantine, salvage in case of damage or shipwreck, or any other local charges, shall be imposed, in any of the ports of the Hawaiian Islands on British vessels, than those payable in the same ports by Hawaiian vessels, nor in the ports of Her Britannic Majesty's territories, on Hawaiian vessels, than shall be payable in the same ports on British vessels.

ARTICLE VI. The same duties shall be paid on the importation of any article which is or may be legally importable into the Hawaiian Islands, whether such importation shall be in Hawaiian or in British vessels; and the same duties shall be paid on the importation of any article which is or may be legally importable into the dominions of Her Britannic Majesty, whether such importation shall be in British or Hawaiian vessels. The same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any article which is or may be legally exportable from the Hawaiian Islands, whether such exportation shall be in Hawaiian or in British vessels; and the same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any article which is or may be legally exportable from Her Britannic Majesty's dominions, whether such shall be in British or in Hawaiian vessels.

ARTICLE VII. British whaleships shall have access to the ports of Hilo, Kealakeakua and Hanalei, in the Sandwich Islands, for the purpose of refitment and refreshment, as well as to the ports of Honolulu and Lahaina, which two last-mentioned ports only are ports of entry for all merchant vessels, and in all the above-named ports, they shall be permitted to trade or to barter their supplies or goods, excepting spirituous liquors, to the amount of two hundred dollars, *ad valorem*, for each vessel, without paying any charge for tonnage or for harbor dues of any description, or any duties or imposts whatever upon the goods or articles so traded or bartered. They shall also be permitted, with the like

exemption from all charges for tonnage and harbor dues, further to trade or barter, with the same exception as to spirituous liquors, to the additional amount of one thousand dollars, *ad valorem*, for each vessel, paying on the additional goods and articles so traded and bartered, no other or higher duties, than are payable on like goods and articles, when imported in national vessels, and by native subjects. They shall also be permitted to pass from port to port of the Sandwich Islands for the purpose of procuring refreshments, but they shall not discharge their seamen or land their passengers in the said islands, except at Honolulu and Lahaina, and in all the ports named in this article, British whaleships shall enjoy, in all respects whatsoever, all the rights, privileges and immunities which are or may be enjoyed by national whaleships of the most favored nation. The like privilege of frequenting the three ports of the Sandwich Islands, named in this article, which are not ports of entry for merchant vessels, is also guaranteed to all the public armed vessels of Great Britain. But nothing in this article shall be construed as authorizing any British vessel, having on board any disease, usually regarded as requiring quarantine, to enter, during the continuance of any such disease on board, any port of the Sandwich Islands, other than Honolulu or Lahaina.

ARTICLE VIII. All merchants, commanders of ships, and others, the subjects of Her Britannic Majesty, shall have full liberty, in the Hawaiian Islands, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as broker, factor, agent or interpreter; nor shall they be obliged to employ any other persons than those employed by Hawaiian subjects, nor to pay to such persons as they shall think fit to employ, any higher salary or remuneration than such as is paid, in like cases, by Hawaiian subjects. British subjects in the Hawaiian Islands shall be at liberty to buy from and to sell to whom they like, without being restrained or prejudiced by any monopoly, contract, or exclusive privilege of sale or purchase whatever; and absolute freedom shall be allowed in all cases to the buyer and seller, to bargain and fix the price of any goods, wares or merchandise, imported into, or exported from the Hawaiian Islands, as they shall see good; observing the laws and established customs of those Islands. The same privileges shall be enjoyed in the dominions of Her Britannic Majesty, by Hawaiian subjects, under the same conditions.

The subjects of either of the contracting parties, in the territories of the other, shall receive and enjoy full and perfect protection for their persons and property, and shall have free and open access to the courts of justice in the said countries, respectively, for the prosecution and defense of their just rights; and they shall be at liberty to employ, in all causes, the advocates, attorneys or agents of whatever description, whom they may think proper; and they shall enjoy in this respect the same rights and privileges as native subjects.

ARTICLE IX. In whatever relates to the police of the ports, the lading and unloading of ships, the warehousing and safety of merchandise, goods and effects, the succession to personal estates by will or otherwise, and the disposal of personal property of every sort and denomination by sale, donation, exchange or testament, or in any other manner whatsoever, as also with regard to the administration of justice, the subjects of each contracting party shall enjoy, in the territories of the other, the same privileges, liberties and rights, as native subjects; and they shall not be charged, in any of these respects, with any other or higher imposts or duties, than those which are or may be paid by native subjects: subject always to the local laws and regulations of such territories.

In the event of any subject of either of the two contracting parties dying without will or testament, in the territories of the other contracting party, the consul-general, consul, or acting consul of the nation to which the deceased may belong, shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an executor or administrator be named according to the laws of the country in which the death shall have taken place.

ARTICLE X. The subjects of Her Britannic Majesty residing in the Hawaiian Islands, and Hawaiian subjects residing in the dominions of Her Britannic Majesty, shall be exempted from all compulsory military service whatsoever, whether by sea or land, and from all forced loans or military exactions or requisitions; and they shall not be compelled, under any pretext whatsoever, to pay any ordinary charges, requisitions or taxes, other or higher than those that are, or may be, paid by native subjects.

ARTICLE XI. It is agreed and covenanted that neither of the two contracting parties shall knowingly receive into, or

retain in, its service, any subject of the other party who have deserted from the naval or military service of that other party; but that, on the contrary, each of the contracting parties shall respectively discharge from its service any such deserters, upon being required by the other party so to do.

And it is further agreed, that if any of the crew shall desert from a vessel of war or merchant vessel of either contracting party, while such vessel is within any port in the territory of the other party, the authorities of such port and territory shall be bound to give every assistance in their power for the apprehension of such deserters, on application to that effect being made by the Consul of the party concerned, or by the deputy or representative of the Consul; and no public body shall protect or harbor such deserters.

It is further agreed and declared, that any other favor or facility with respect to the recovery of deserters, which either of the contracting parties has granted or may hereafter grant, to any other State, shall be considered as granted also to the other contracting party, in the same manner as if such favor or facility had been expressly stipulated by the present treaty.

ARTICLE XII. It shall be free for each of the two contracting parties to appoint consuls for the protection of trade, to reside in the territories of the other party; but before any consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the contracting parties may except from the residence of consuls such particular places as either of them may judge fit to be excepted. The diplomatic agents and consuls of the Hawaiian Islands, in the dominions of Her Britannic Majesty, shall enjoy whatever privileges, exemptions and immunities are, or shall be granted there to agents of the same rank belonging to the most favored nation; and, in like manner, the diplomatic agents and consuls of Her Britannic Majesty in the Hawaiian Islands shall enjoy whatever privileges, exemptions, and immunities are or may be granted there to the diplomatic agents and consuls of the same rank belonging to the most favored nation.

ARTICLE XIII. For the better security of commerce between the subjects of Her Britannic Majesty and of the King of the Hawaiian Islands, it is agreed that if, at any time, any rupture, or any interruption of friendly intercourse should unfortunately take place between the two contracting parties, the subjects of either of the two contracting parties

shall be allowed a year to wind up their accounts, and dispose of their property; and a safe conduct shall be given them to embark at the port which they shall themselves select. All subjects of either of the two contracting parties who may be established in the territories of the other, in the exercise of any trade or special employment, shall in such case have the privilege of remaining and continuing such trade and employment therein, without any manner of interruption in full enjoyment of their liberty and property as long as they behave peaceably, and commit no offense against the laws; and their goods and effects, of whatever description they may be, whether in their own custody, or entrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like effects or property belonging to native subjects. In the same case, debts between individuals, public funds, and the shares of companies shall never be confiscated, sequestered or detained.

ARTICLE XIV. The subjects of Her Britannic Majesty, residing in the Hawaiian Islands, shall not be disturbed, persecuted or annoyed on account of their religion, but they shall have perfect liberty of conscience therein, and shall be allowed to celebrate divine service, either within their own private houses, or in their own particular churches or chapels, which they shall be at liberty to build and maintain in convenient places, approved of by the Government of the said Islands. Liberty shall also be granted to them to bury in burial places which, in the same manner, they may freely establish and maintain, such subjects of Her Britannic Majesty, who may die in the said Islands. In the like manner, Hawaiian subjects shall enjoy, within the dominions of Her Britannic Majesty, perfect and unrestrained liberty of conscience, and shall be allowed to exercise their religion publicly or privately, within their own dwelling houses, or in the chapels and places of worship appointed for that purpose agreeably to the system of toleration established in the dominions of Her said Majesty.

ARTICLE XV. In case there should at any time be established British mail packets, touching at a port of the Sandwich Islands, a British packet agent shall be permitted to reside at such port, and to collect, on account of the British Post-office, the British sea-rate of postage which may be hereafter fixed for the conveyance of letters by British packets from the Sandwich Islands to any other place to which those packets may proceed.

Such British mail packets shall have free access to the ports of the Sandwich Islands, and shall be allowed to remain to refit, to refresh, to land passengers and their baggage, and to transact any business connected with the public mail service of Great Britain. They shall not be subject in such ports to any duties of tonnage, harbor, light-houses, quarantine, or other similar duties, of whatever nature or under whatever denomination.

ARTICLE XVI. If any ship of war or merchant vessel, of either of the contracting parties, should be wrecked on the coasts of the other, such ship or vessel, or any parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise which shall be saved therefrom, or the produce thereof if sold, shall be faithfully restored to the proprietors, upon being claimed by them, or by their duly authorized agents; and if there are no such proprietors or agents on the spot, then said goods and merchandise, or the proceeds thereof, as well as all the papers found on board such wrecked ship or vessel, shall be delivered to the British or Hawaiian consul, in whose district the wreck may have taken place; and such consul, proprietors or agents shall pay only the expenses incurred in the preservation of the property, together with the rate of salvage which would have been payable in the like case of a wreck of a national vessel. The goods and merchandise saved from the wreck shall not be subject to duties unless cleared for consumption.

ARTICLE XVII. In order that the two contracting parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interest of their respective subjects, it is agreed that at any time after the expiration of seven years from the date of the exchange of the ratifications of the present treaty, either of the contracting parties shall have the right of giving to the other party notice of its intention to terminate articles 4, 5 and 6 of the present treaty; and that at the expiration of twelve months after such notice shall have been received by either party from the other, the said articles, and all the stipulations contained therein, shall cease to be binding on the two contracting parties.

ARTICLE XVIII. The present treaty shall be ratified, and the ratifications shall be exchanged at Honolulu in ten months or sooner, if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and affixed thereto their respective Seals.

Done at Honolulu, this tenth day of July, in the year of our Lord one thousand eight hundred and fifty-one.

(L. S.) ROBERT CRICHTON WYLLIE,
(L. S.) WILLIAM MILLER.

AND, WHEREAS, we have fully examined all the points and articles thereof, by and with the advice of Our Privy Council of State, We have confirmed and ratified the foregoing Treaty, and We do confirm and ratify the same, in the most effectual manner, promising on Our faith and word as King, for Us and Our successors, to fulfill and observe it faithfully and scrupulously in all its clauses.

In faith of which We have signed this ratification with Our own hand, and have affixed thereto the great seal of Our Kingdom.

Given at Our Palace at Honolulu, the 6th day of May, in the year of our Lord one thousand eight hundred and fifty-two, and in the twenty-seventh of Our reign.

(Seal.) KAMEHAMEHA.

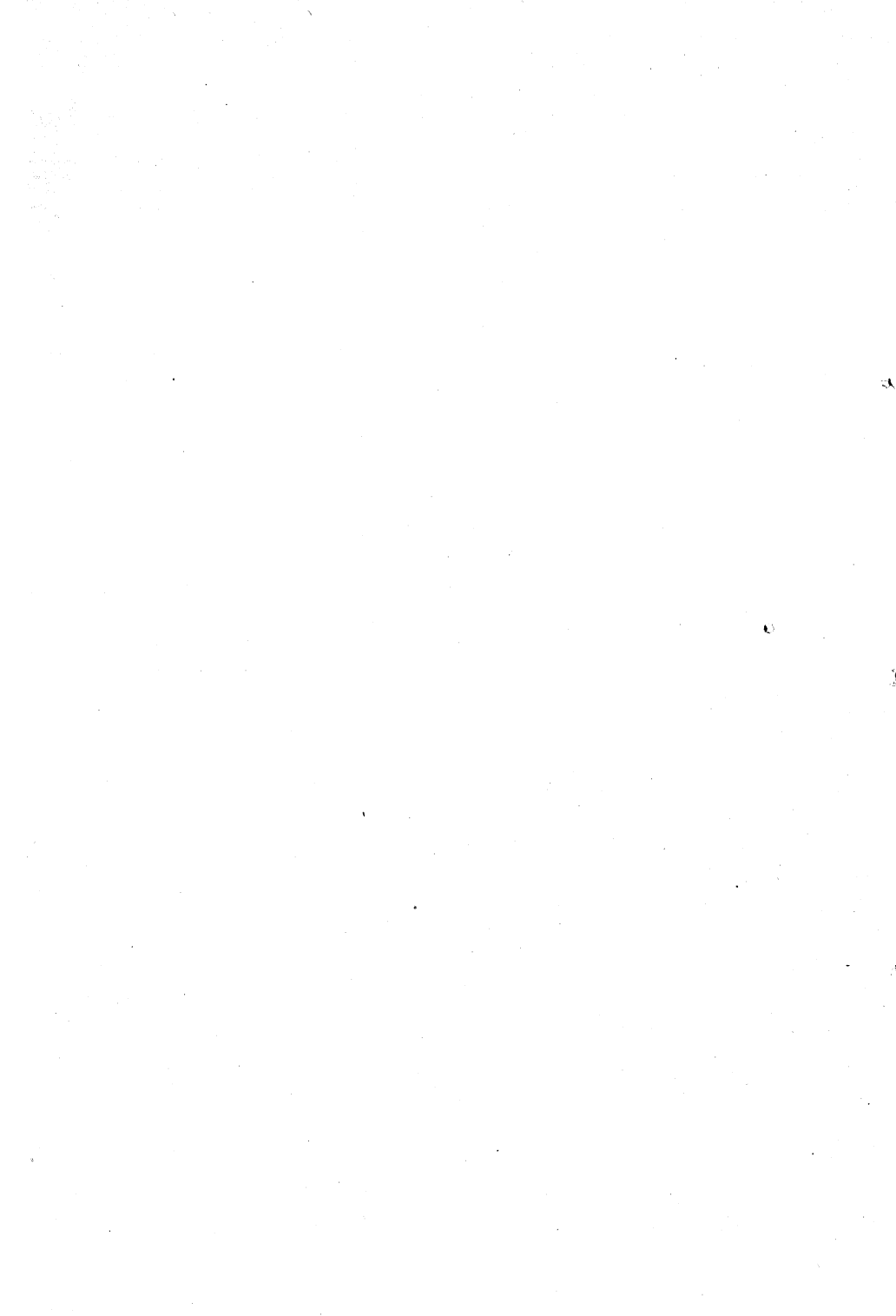
KEONI ANA.

EXCHANGE OF RATIFICATIONS.—The undersigned, having met together for the purpose of exchanging the ratifications of a Treaty of Friendship, Commerce and Navigation between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Hawaiian Islands, concluded and signed at Honolulu on the tenth day of July, 1851; and the respective ratifications of the said instrument having been carefully compared, and found to be exactly conformable to each other, the said exchange took place this day in the usual form.

In witness whereof, they have signed the present certificate of exchange, and have affixed thereto their respective Seals.

Done at Honolulu the sixth day of May, 1852.

(L. S.) ROBERT CRICHTON WYLLIE,
(L. S.) WILLIAM MILLER.



(11) POSTAL CONVENTION,

BETWEEN THE HAWAIIAN KINGDOM AND THE FRENCH PROTECTORATE GOVERNMENT OF TAHITI, NOV. 24, 1853.

WHEREAS, the increasing correspondence between the Hawaiian Kingdom and Tahiti, which embraces the European and American correspondence, via Panama and San Francisco, requires to be placed on a more regular footing, especially in regard to the payment of postages when due from the one country to the other, the undersigned have entered into the following arrangement, viz.:

1st. A mail bag or package shall be made up on the departure of every packet or other vessel bound from Honolulu for Tahiti, or vice versa, which shall be sealed and addressed to the Postmaster of either port, as the case may be.

2d. All postages not pre-paid on the letters, newspapers, pamphlets and other mailable matter, forwarded in such bags or packages, shall be entered on a way-bill, which shall invariably accompany the mails.

3d. The Postmasters at Honolulu and Tahiti shall severally, in their respective offices, keep an account of all postages charged in such way-bill, shall collect the same, and credit the amount to the office which issued the same.

4th. Each Postmaster shall charge provisionally, and without prejudice to future modification by mutual consent, on all mailable matter to the other office precisely the same rates as are now established between Honolulu and San Francisco, which are as follows, viz.:

POST OFFICE NOTICE.

RATES OF POSTAGE on Letters and Newspapers passing through the Hawaiian Post Office. The following are the Rates of Letter Postage now established, and for every half ounce beyond the first half ounce, a similar rate is added.

RATES OF LETTER POSTAGE, WHEN PRE-PAID.

ON LETTERS FOR	Tahiti Postage on a ½ oz. letter.	Hawaiian Postage on a ½ oz. letter.	U. States Postage on a ½ oz. letter.	Total Postage on a ½ oz. single letter.	Total Postage on a 1 oz. double letter.
Tahiti from Honolulu, and vice versa.....	.5	...	...	...	...
San Francisco city.....	.5	.6	.11	.16	.16
Any other port of California or Oregon.....	.5	.5	.10	.18	.18
Ports of Mexico.....	.5	.12	.17	.32	.32
Panama.....	.5	.22	.27	.52	.52
Valparaiso and South America, via San Francisco.....	.5	.52	.57	1.12	1.12
United States, east, if pre-paid.....	.5	.8	.13	.24	.24
United States, east, if U. S. Postage is unpaid.....	.5	.12	.17	.32	.32
Any part of Canada, if pre-paid.....	.5	.17	.22	.42	.42
Any part of Great Britain or Ireland.....	.5	.31	.36	.70	.70
Bremen.....	.5	.28	.33	.64	.64
Hamburg, or any part of Germany.....	.5	.34	.39	.76	.76
Any other port of Europe.....	.5	.28	.33	.64	.64
Sydney, Auckland or any part of Brit. Australian Colonies	.5	...	...	...	...
Hongkong, Canton, Manila, Tahiti, Valparaiso or any other foreign port, when sent direct.....	.5	...	...	...	...
On all letters received from any foreign ports, the foreign postage, if any, and for every ½ oz.....	.5	...	...	...	...

NEWSPAPERS.

The Hawaiian Postage on each newspaper forwarded or received through this office is 2 cents.

On each paper weighing 1 oz., or less, to any part of California or Oregon, 4 cents.

On each paper to any part of the United States, east, 3 cents. } Must be pre-paid,

On each paper to any part of Great Britain, 5 cents. }

On each paper to any part of Europe, 5 cents. }

The above are the rates on every transient newspaper, unsealed circular, hand bill, engraving, pamphlet, periodical, magazine, book and every other description of printed matter, to be in all cases prepaid.

5th. An account between the two offices shall be settled annually on the 31st of December, and the balance paid, at the exchange of the day, to be determined by a certificate of three resident merchants, one to be French, one British, and one American; if the balance be due to the Postmaster of Honolulu, it shall be remitted to him through the Imperial Commissioner at this Court, and if the balance be due from the Postmaster at Honolulu, it shall be remitted to the Postmaster at Tahiti through the same medium.

Done at Honolulu, this 24th of November, 1853.

HENRY M. WHITNEY,

H. H. M. P. M.,

Pr. le directeur le chr. de le Mozelle,

J. BELLAUD.

The undersigned, so far as their respective Governments are concerned, approve of the foregoing provisional postal arrangement.

Honolulu, November 24th, 1853.

R. C. WYLLIE.

Minister of Foreign Relations.

Le Plenipotentiaire de S. M. E.,

EM. PERRIN.

(12) TREATY WITH BREMEN,

RATIFIED ON THE 27TH MARCH, 1854.

KAMEHAMEHA III., *King of the Hawaiian Islands, to all to whom these presents shall come, GREETING:*

WHEREAS, a Treaty of Friendship, Commerce and Navigation between Us and the Free Hanseatic City of Bremen, was, concluded and signed at Honolulu, on the seventh day of August, one thousand eight hundred and fifty-one, by the Plenipotentiary of Us, and the specially authorized Consul of the said Free Hanseatic City of Bremen, which Treaty is word for word, as follows:

It being desirable that a general convention and instrument of mutual agreement should exist between the Hawaiian Kingdom and the Free Hanseatic City of Bremen, the following Articles have, for that purpose and to that intent, been mutually agreed upon and signed between the Government of the Hawaiian Islands and that of Bremen.

ARTICLE I. There shall be perpetual peace and amity between His Majesty the King of the Hawaiian Islands, His Heirs and Successors, and the Free Hanseatic City of Bremen, and those who may succeed in the Government thereof.

ARTICLE II. The citizens of Bremen residing within the dominions of the King of the Hawaiian Islands, shall enjoy the same protection in regard to their civil rights, as well as to their persons and properties, as native subjects; and the King of the Hawaiian Islands engages to grant to the citizens of Bremen, the same rights and privileges which now are, or may hereafter be granted to, or enjoyed by any other foreigners, subjects of the most favored nation.

In the event of any subject of either of the two contracting parties dying without will or testament, in the territories of the other contracting party, the consul-general, consul, or acting consul of the State to which the deceased may belong, shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an executor or administrator be named according to the laws of the country in which the death shall have taken place.

ARTICLE III. The protection of the King of the Hawaiian Islands shall be extended to all Bremen vessels, their officers and crews, within the harbors and roads of his dominions.

In time of war they shall receive all possible protection against the enemies of Bremen. In case of ship-wreck, the local authorities and officers of the King shall use their utmost exertions to succour them and secure them from plunder. The salvage dues shall be settled according to the general law of salvage, and in case of dispute, shall be regulated by arbitrators chosen by both parties.

ARTICLE IV. The desertion of seamen belonging to Bremen vessels shall be severely repressed by the local authorities, who shall employ all means at their disposal to arrest and confine deserters, and the lawful expenses shall be defrayed by the captain or owners. In such cases no unnecessary severity is to be used, and due notice is to be immediately given to the Bremen Consul, agreeably to the 6th Article of this Treaty.

ARTICLE V. Bremen citizens shall be allowed to reside or settle on any part of the dominions of the King of the Hawaiian Islands, upon obtaining a document certifying that they are worthy persons, from the Bremen Consul, whose duty it is not to give any such documents to others than *bona fide* citizens of Bremen. In the case of Bremen sailors wishing to remain on the islands, permission shall be previously obtained of the Government by the Bremen Consul.

ARTICLE VI. It is agreed that the Bremen Consul shall be instructed to zealously attempt to settle amicably, and extra judicially, all difficulties arising with Bremen citizens; and that when any case is brought before the court of foreign causes, the presiding judge shall, with the least possible delay, communicate knowledge thereof to the Bremen Consul, also that when Bremen sailors or citizens are committed, in consequence of police or other offences, information shall be conveyed to him, forthwith, by the Prefect or other officer of the police.

ARTICLE VII. No productions of Bremen, or any other goods on board of, or imported in Bremen ships, that can be imported by other foreign ships, shall be prohibited, nor pay more than those duties levied on goods of the most favored nation. Any augmentation in the rate of duties levied on goods, shall not take effect nor be enforced, until eight calendar months after the first public notification of such change.

ARTICLE VIII. Bremen merchandise and property, or goods imported in Bremen vessels, liable to an entrance duty

higher than 5 per cent. *ad valorem*, shall be allowed to be bonded, paying only the usual transit duty.

ARTICLE IX. All Bremen vessels shall have the right and privilege of disposing of their cargoes, or any part thereof, at all or any of the ports of the Hawaiian dominions, now open, or that may hereafter be opened to foreign commerce, and to take in any produce of the Hawaiian Islands which they may receive in payment of such cargoes. But they shall not be allowed to take any goods or merchandise or freight from one island or port to another, such coasting trade being restricted to bottoms sailing under the Hawaiian flag.

ARTICLE X. The subjects of His Majesty the King of the Hawaiian Islands, shall, in their commercial relations, or relations of any other nature, with the Free Hanseatic City of Bremen, and her dependencies, be treated on the footing of the most favored nation.

Done at Honolulu this seventh day of August, 1851.

[L. S.]

R. C. WYLLIE.

Minister of Foreign Relations.

[L. S.]

STEPHEN REYNOLDS,

Under special authority from the Senate of Bremen.

ADDITIONAL ARTICLE. This Treaty shall not be permanently binding till it receive the ratification of His Majesty the King of the Hawaiian Islands, and of the Senate of the Free Hanseatic City of Bremen, but in the meanwhile, for the sake of Bremen vessels, or citizens arriving, it is mutually agreed that it shall take effect, provisionally, from this date.

Done at Honolulu this seventh day of August, 1851.

[L. S.]

STEPHEN REYNOLDS,

Under special authority from the Senate of Bremen.

[L. S.]

R. C. WYLLIE,

Minster of Foreign Relations.

AND, WHEREAS, we have fully examined all the points and articles thereof, by and with the advice of Our Privy Council of State, We have confirmed and ratified the foregoing Treaty, and We do confirm and ratify the same, in the most effectual manner, promising on Our faith and word as King, for Us and Our successors, to fulfill and observe it faithfully and scrupulously in all its clauses.

In faith of which We have signed this ratification with Our own hand, and have affixed thereto the great seal of Our Kingdom.

Given at Our Palace at Honolulu, this twenty-seventh day of March, in the year of our Lord one thousand eight hundred and fifty-four, and in the twenty-ninth of Our reign..

[L. S.]

KAMEHAMEHA.

KEONI ANA.

Countersigned by the King and Kuhina Nui.

R. C. WYLLIE,
Minister of Foreign Relations.

(13) TREATY WITH SWEDEN AND NORWAY,

RATIFIED ON THE 5TH OF APRIL, 1855.

WE, KAMEHAMEHA IV., by the Grace of God, King of the Hawaiian Islands, make known:

THAT His late Majesty King Kamehameha III., having authorized a Treaty of Friendship, Commerce and Navigation, with an additional article thereto annexed, between the Hawaiian Kingdom and the Kingdoms of Sweden and Norway, which was concluded, signed and sealed on the first of July, 1852, by our respective Plenipotentiaries viz.: On His behalf, Robert Crichton Wyllie, Esq., His Minister of Foreign Relations, His Secretary at War and of the Navy, Member of His Privy Council of State, Member of the House of Nobles and Chairman of the Commissioners of His Privy Purse; and on behalf of His Majesty Oscar, King of Sweden and Norway, of the Goths and Vandals, Monsieur Christian Adolphe Virgin, His Majesty's Chamberlain, Post Captain in His Majesty's Navy, Knight of the Order of the Sword, and of the Order of St. Stanislaus of Russia, of the second class, which treaty, and its additional article, are word for word, as follows:

It being of great advantage to establish relations of friendship and commerce between the Kingdoms of His Majesty the King of Sweden and Norway, and the Kingdom of His Majesty the King of the Hawaiian Islands, the undersigned, having exchanged their powers, mutually admitted as sufficient, have agreed, on the part of their respective Sovereigns, to conclude a Treaty of Friendship, Commerce and Navigation, as follows:

ARTICLE I. There shall be perpetual friendship between His Majesty the King of the United Kingdoms of Sweden and Norway, his heirs and successors, and the King of the Hawaiian Islands, his heirs and successors, and between their respective subjects.

ARTICLE II. There shall be between all the dominions of His Swedish and Norwegian Majesty, and the Hawaiian Islands, a reciprocal freedom of commerce. The subjects of each of the two contracting parties, respectively, shall have liberty freely and securely to come with their ships and cargoes to all places, ports and rivers in the territories of the other, where trade with other nations is permitted. They may remain and reside in any part of the said territories, respectively, and hire and occupy houses and warehouses,

and may trade, by wholesale or retail, in all kinds of produce, manufactures or merchandise of lawful commerce, enjoying the same exemptions and privileges as native subjects, and subject always to the same laws and established customs as native subjects.

In like manner the ships of war of each contracting party, respectively, shall have liberty to enter into all harbors, rivers and places within the territories of the other, to which the ships of war of other nations are or may be permitted to come, to anchor there, and to remain and refit, subject always to the laws and regulations of the two countries respectively.

The stipulations of this article do not apply to the coasting trade, which each contracting party reserves to itself respectively, and shall regulate according to its own laws.

ARTICLE III. The two contracting parties hereby agree, that any favor, privilege, or immunity whatever, in matters of commerce or navigation, which either contracting party has actually granted, or may hereafter grant, to the subjects or citizens of any other state, shall be extended to the subjects or citizens of the other contracting party gratuitously, if the concession in favor of that other state shall have been gratuitous, or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

ARTICLE IV. No other or higher duties shall be imposed on the importation into the dominions of His Swedish and Norwegian Majesty of any article the growth, produce or manufacture of the Hawaiian Islands, and no other or higher duties shall be imposed on the importation in the Hawaiian Islands of any article the growth, produce or manufacture of His Swedish and Norwegian Majesty's dominions than are or shall be payable on the like article, being the growth, produce or manufacture of any other foreign country.

Nor shall any other or higher duties or charges be imposed in the territories of either of the contracting parties on the exportation of any article to the territories of the other than such as are or may be payable on the exportation of the like article to any other foreign country. No prohibition shall be imposed upon the importation of any article the growth, produce or manufacture of the territories of either of the two contracting parties, into the territories of the other which shall not equally extend to the importation of the like

articles, being the growth, produce or manufacture of any other country. Nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two contracting parties to the territories of the other, which shall not equally extend to the exportation of the like articles to the territories of all other nations.

ARTICLE V. No other or higher duties or charges on account of tonnage, light, or harbor dues, pilotage, quarantine, salvage in case of damage or shipwreck, or any other local charges, shall be imposed, in any of the ports of the Hawaiian Islands on Swedish and Norwegian vessels, than those payable in the same ports by Hawaiian vessels, nor in the ports of His Swedish and Norwegian Majesty's territories, on Hawaiian vessels, than shall be payable in the same ports on Swedish and Norwegian vessels.

ARTICLE VI. The same duties shall be paid on the importation of any article which is or may be legally importable into the Hawaiian Islands, whether such importation shall be in Hawaiian or in Swedish and Norwegian vessels; and the same duties shall be paid on the importation of any article which is or may be legally importable into the dominions of His Swedish and Norwegian Majesty, whether such importation shall be in Swedish and Norwegian, or Hawaiian vessels. The same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any article which is or may be legally exportable from the Hawaiian Islands, whether such exportation shall be in Hawaiian or in Swedish and Norwegian vessels; and the same duties shall be paid, and the same bounties and drawbacks allowed on the exportation of any article which is or may be legally exportable from His Swedish and Norwegian Majesty's dominions, whether such exportation shall be in Swedish and Norwegian or in Hawaiian vessels.

ARTICLE VII. Swedish and Norwegian whaleships shall have access to the ports of Hilo, Kealakeakua and Hanalei, in the Sandwich Islands, for the purpose of refitment and refreshment, as well as to the ports of Honolulu and Lahaina, which two last-mentioned ports only are ports of entry for all merchant vessels, and in all the above-named ports, they shall be permitted to trade or to barter their supplies or goods, excepting spirituous liquors, to the amount of two hundred dollars, *ad valorem*, for each vessel, without paying any charge for tonnage or for harbor dues of any description, or any duties or imposts whatever upon the goods or

articles so traded or bartered. They shall also be permitted, with the like exemption from all charges for tonnage and harbor dues, further to trade or barter, with the same exception as to spirituous liquors, to the additional amount of one thousand dollars, *ad valorem*, for each vessel, paying on the additional goods and articles so traded and bartered, no other or higher duties, than are payable on like goods and articles, when imported in national vessels, and by native subjects. They shall also be permitted to pass from port to port of the Sandwich Islands for the purpose of procuring refreshments, but they shall not discharge their seamen or land their passengers in the said islands, except at Honolulu and Lahaina, and in all the ports named in this article, Swedish and Norwegian whaleships shall enjoy, in all respects whatsoever, all the rights, privileges and immunities which are or may be enjoyed by national whaleships of the most favored nation.

The like privilege of frequenting the three ports of the Sandwich Islands, named in this article, which are not ports of entry for merchant vessels, is also guaranteed to all the public armed vessels of Sweden and Norway. But nothing in this article shall be construed as authorizing any Swedish or Norwegian vessels, having on board any disease usually regarded as requiring quarantine, to enter, during the continuance of any such disease on board, any port of the Sandwich Islands, other than Honolulu or Lahaina.

ARTICLE VIII. All merchants, commanders of ships, and others, the subjects of His Swedish and Norwegian Majesty, shall have full liberty, in the Hawaiian Islands, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as broker, factor, agent or interpreter; nor shall they be obliged to employ any other persons than those employed by Hawaiian subjects, nor to pay to such persons as they shall think fit to employ, an higher salary or remuneration than such as is paid, in like cases, by Hawaiian subjects. Swedish and Norwegian subjects in the Hawaiian Islands shall be at liberty to buy from and to sell to whom they like, without being restrained or prejudiced by any monopoly, contract, or exclusive privilege of sale or purchase whatever; and absolute freedom shall be allowed in all cases to the buyer and seller, to bargain and fix the price of any goods, wares or merchandise, imported into, or exported from the Hawaiian Islands, as they shall see good; observing the laws and established customs of

those Islands. The same privileges shall be enjoyed in the dominions of His Swedish and Norwegian Majesty, by Hawaiian subjects, under the same conditions.

The subjects of either of the contracting parties, in the territories of the other, shall receive and enjoy full and perfect protection for their persons and property, and shall have free and open access to the courts of justice in the said countries, respectively, for the prosecution and defense of their just rights; and they shall be at liberty to employ, in all causes, the advocates, attorneys or agents of whatever description, whom they may think proper; and they shall enjoy in this respect the same rights and privileges as native subjects.

ARTICLE IX. In whatever relates to the police of the ports, the lading and unlading of ships, the warehousing and safety of merchandise, goods and effects, the succession to personal estates by will or otherwise, and the disposal of personal property of every sort and denomination by sale, donation, exchange or testament, or in any other manner whatsoever, as also with regard to the administration of justice, the subjects of each contracting party shall enjoy, in the territories of the other, the same privileges, liberties and rights, as native subjects; and they shall not be charged, in any of these respects, with any other or higher imposts or duties, than those which are or may be paid by native subjects; subject always to the local laws and regulations of such territories.

In the event of any subject of either of the two contracting parties dying without will or testament, in the territories of the other contracting party, the consul-general, consul, or acting consul of the State to which the deceased may belong, shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an executor or administrator be named according to the laws of the country in which the death shall have taken place.

ARTICLE X. The subjects of His Swedish and Norwegian Majesty residing in the Hawaiian Islands, and Hawaiian subjects residing in the dominions of His Swedish and Norwegian Majesty, shall be exempted from all compulsory military service whatsoever, whether by sea or land, and from all forced loans or military exactions or requisitions; and they shall not be compelled, under any pretext whatso-

ever, to pay any ordinary charges, requisitions or taxes, other or higher than those that are or may be paid by native subjects.

ARTICLE XI. It is agreed and covenanted that neither of the two contracting parties shall knowingly receive into, or retain in, its service, any subjects, of the other party, who have deserted from the naval or military service of that other party; but that, on the contrary, each of the contracting parties shall respectively discharge from its service any such deserters, upon being required by the other party so to do.

And it is further agreed, that if any of the crew shall desert from a vessel of war or merchant vessel of either contracting party, while such vessel is within any port in the territory of the other party, the authorities of such port and territory shall be bound to give every assistance in their power for the apprehension of such deserters, on application to that effect being made by the Consul of the party concerned, or by the deputy or representative of the Consul; and no public body shall protect or harbor such deserters.

It is further agreed and declared, that any other favor or facility with respect to the recovery of deserters which either of the contracting parties has granted or may hereafter grant, to any other State, shall be considered as granted also to the other contracting party, in the same manner as if such favor or facility had been expressly stipulated by the present treaty.

ARTICLE XII. It shall be free for each of the two contracting parties to appoint consuls for the protection of trade, to reside in the territories of the other party; but before any consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the contracting parties may except from the residence of consuls such particular places as either of them may judge fit to be excepted. The diplomatic agents and consuls of the Hawaiian Islands, in the dominions of His Swedish and Norwegian Majesty, shall enjoy whatever privileges, exemptions and immunities are or shall be granted there to agents of the same rank belonging to the most favored nation; and, in like manner, the diplomatic agents and consuls of His Swedish and Norwegian Majesty in the Hawaiian Islands shall enjoy whatever privileges, exemptions or immunities are or may be granted there to the diplomatic agents and consuls of the same rank belonging to the most favored nation.

ARTICLE XIII. For the better security of commerce between the subjects of His Swedish and Norwegian Majesty and of the King of the Hawaiian Islands, it is agreed that if, at any time, any rupture or interruption of friendly intercourse should unfortunately take place between the two contracting parties, the subjects of either of the two contracting parties shall be allowed a year to wind up their accounts, and dispose of their property; and a safe conduct shall be given them to embark at the port which they shall themselves select. All subjects of either of the two contracting parties who may be established in the territories of the other, in the exercise of any trade or special employment, shall in such case have the privilege of remaining and continuing such trade and employment therein, without any manner of interruption in full enjoyment of their liberty and property as long as they behave peaceably and commit no offense against the laws; and their goods and effects, of whatever description they may be, whether in their own custody, or entrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like effects or property belonging to native subjects. In the same case, debts between individuals, public funds, and the shares of companies shall never be confiscated, sequestered or detained.

ARTICLE XIV. The subjects of His Swedish and Norwegian Majesty, residing in the Hawaiian Islands, shall not be disturbed, persecuted or annoyed on account of their religion, but they shall have perfect liberty of conscience therein, and shall be allowed to celebrate divine service, either within their own private houses, or in their own particular churches or chapels, which they shall be at liberty to build and maintain in convenient places, approved of by the Government of the said Islands. Liberty shall also be granted to them to bury in burial places which, in the same manner, they may freely establish and maintain, such subjects of His Swedish and Norwegian Majesty who may die in the said Islands. In like manner, Hawaiian subjects shall enjoy, within the dominions of His Swedish and Norwegian Majesty, perfect and unrestrained liberty of conscience, and shall be allowed to exercise their religion publicly or privately, within their own dwelling houses, or in the chapels and places of worship appointed for that purpose agreeably to the system of toleration established in the dominions of His said Majesty.

ARTICLE XV. All vessels bearing the flag of Sweden and Norway in time of war shall receive every possible protection, short of actual hostility, within the ports and waters of His Majesty the King of the Hawaiian Islands; and His Majesty the King of Sweden and Norway engages to respect in time of war the neutral rights of the Hawaiian Kingdom, and to use his good offices with all other powers, having treaties with His Majesty the King of the Hawaiian Islands, to induce them to adopt the same policy towards the Hawaiian Kingdom.

ARTICLE XVI. If any ship of war or merchant vessel, of either of the contracting parties, should be wrecked on the coasts of the other, such ship or vessel, or any parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise which shall be saved therefrom, or the produce thereof if sold, shall be faithfully restored to the proprietors, upon being claimed by them, or by their duly authorized agents; and if there are no such proprietors or agents on the spot, then the said goods and merchandise, or the proceeds thereof, as well as all the papers found on board such wrecked ship or vessel, shall be delivered to the Swedish and Norwegian or Hawaiian consul, in whose district the wreck may have taken place; and such consul, proprietors or agents shall pay only the expenses incurred in the preservation of the property, together with the rate of salvage which would have been payable in the like case of a wreck of a national vessel. The goods and merchandise saved from the wreck shall not be subject to duties unless cleared for consumption.

ARTICLE XVII. In order that the two contracting parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interest of their respective subjects, it is agreed that at any time after the expiration of seven years from the date of the exchange of the ratifications of the present treaty, either of the contracting parties shall have the right of giving to the other party notice of its intention to terminate articles 4, 5 and 6 of the present treaty; and that at the expiration of twelve months after such notice shall have been received by either party from the other, the said articles, and all the stipulations contained therein, shall cease to be binding on the two contracting parties.

ARTICLE XVIII. The present treaty shall be ratified, and

the ratifications shall be exchanged at Honolulu in eighteen months or sooner; if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and affixed thereto their respective Seals.

Done at Honolulu, this first day of July, in the year of our Lord, one thousand eight hundred and fifty-two.

[L. s.]

R. C. WYLLIE,

H. H. M.'s Minister of Foreign Affairs, Member of His Privy Council of State, and of His House of Nobles.

[L. s.]

C. A. VIRGIN,

Chamberlain to His Majesty the King of Sweden and Norway, Post Captain in the R. Swedish Navy, Knight of the Royal Order of the Sword and of the Imperial Russian Order of St. Stanislaus.

ADDITIONAL ARTICLE. This Treaty shall not be considered permanently binding until the ratifications have been exchanged as provided for in article eighteen, but it has been agreed that from this date all the benefits under it shall be extended to all the subjects of His Swedish and Norwegian Majesty, their commerce and navigation.

Done at Honolulu, this first day of July, in the year of Our Lord, one thousand eight hundred and fifty-two.

[L. s.]

R. C. WYLLIE.

[L. s.]

C. A. VIRGIN.

AND, WHEREAS, We, Kamehameha IV, have fully examined all the points and articles thereof, by and with the advice of Our Privy Council of State, We have confirmed and ratified the foregoing treaty, and We do confirm and ratify the same, in the most effectual manner, promising on Our faith and word as King, for Us and Our successors, to fulfill and observe it faithfully and scrupulously in all its clauses.

In faith of which We have signed this ratification with Our hand, and have affixed thereto the great seal of Our Kingdom.

Done at Our Palace, at Honolulu, this fifth day of April, in the year of our Lord, one thousand eight hundred and fifty-five, and the first of Our reign.

[L. s.]

KAMEHAMEHA.

VICTORIA K. KAAHUMANU.

By the King and Kuhina Nui

R. C. WYLLIE.

Minister of Foreign Relations.



(14) TREATY WITH FRANCE,

RATIFIED ON THE 8TH OF SEPTEMBER, 1858.

Treaty of Friendship, Commerce and Navigation, between His Majesty Napoleon III., Emperor of the French, and His Majesty Kamehameha IV., King of the Sandwich Islands. In the name of the Most Holy Trinity,

Relations of commerce having been established several years ago between France and the Sandwich Islands, it has been considered useful to regulate these relations, to favor their development and to perpetuate their duration, by a treaty of Friendship, Commerce and Navigation, founded on the common interests of the two States, and such as to secure the enjoyment, by their respective subjects, of equal and reciprocal advantages.

In conformity with this principle, and with this object, they have nominated for their Plenipotentiaries, to wit:

His Majesty the Emperor of the French, Monsieur Louis Emile Perrin, Knight of the Imperial Order of the Legion of Honor, His Consul and Commissioner near the Hawaiian Government:

And His Majesty the King of the Sandwich Islands, His Royal Highness the Prince Lot Kamehameha, General Commanding-in-Chief, His Minister of the Interior, Acting Minister of Finance, Member of His Privy Council and of the House of Nobles; and Robert Crichton Wyllie, Esq., His Minister of Foreign Relations, His Secretary of State for War and the Navy, Member of His Privy Council and of the House of Nobles:

Who, having communicated their respective powers, found in due form and order, have agreed to the following articles:

ARTICLE I. There shall be constant peace and perpetual friendship between His Majesty the Emperor of the French, His heirs and successors, on the one part, and His Majesty the King of the Sandwich Islands, His heirs and successors, on the other part, and between the subjects of the two States, without excepting persons or places.

ARTICLE II. There shall be reciprocal liberty of commerce between all the territories of the French Empire, in Europe, and those of the Hawaiian Islands. Their respective subjects shall have entire liberty to enter with their ships and cargoes, in all the places, ports and rivers of the two States, which are or may be opened to foreign commerce.

They shall have liberty to trade from place to place, under the provisions of the laws, to discharge there, in all or in part, the cargoes by them imported from abroad, and, thereafter, to lay in their return cargoes; but they shall not have liberty there to discharge the merchandise which they shall have received from another port of the same State, or, in other words, to carry on the coasting trade, which remains exclusively reserved to the natives.

They shall have liberty, in their respective territories, to travel or reside, trade by wholesale or retail, as native subjects, to establish themselves wherever they may think it suitable for their interests, to hire and occupy the houses, stores and shops which may be necessary to them, to effect the transmissions of goods and money and to receive consignments, to be admissible as bondsmen, at the custom-houses, after they shall have been established more than one year in their places of residence, within either of the two States, and after that the real estate which they may there possess shall afford a sufficient guaranty.

They shall be at entire liberty to conduct their business themselves, and especially to present in the custom-houses their own declarations, or to be represented when they find it convenient by a factor, agent, consignee or interpreter, without having, as foreigners, to pay any extra charge or pecuniary allowance. They shall have the right to buy and to sell of and to whom they please, without any monopoly, contract or exclusive privilege of sale or purchase, prejudicing or restricting in any manner whatever, their liberty in this respect. They shall be equally free in all their purchases as well as in all their sales, to fix the price of their goods, merchandise and objects of every kind, both imported and destined for exportation, so long as they comply with the laws and regulations of the country.

Finally, they shall not be subjected in any of the aforesaid cases, to other charges, taxes or imposts at the custom-houses than those to which native subjects are subjected.

ARTICLE III. It is agreed that documents presented by French subjects in their own language shall be admitted in every case in which documents in the English language may be admitted, and the business to which the documents drawn up in said language may relate shall be dispatched with the same good faith and care; but whenever a translation is presented about the accuracy of which a difference may arise, the same shall be referred to the French Consul for his revision and certificate of approval.

ARTICLE IV. Their respective subjects shall enjoy, in both States, a constant and complete protection for their persons and properties. They shall, consequently, have free and easy access to the tribunals of justice, in prosecution and defense of their rights, in every instance, and in all the degrees of jurisdiction established by the laws. They shall be at liberty to employ, in all circumstances, the advocates, solicitors or agents of every class that they may think proper; in fine, they shall enjoy, in all these respects, the same rights and privileges which are or may be granted to native subjects.

They shall, besides, be exempt from all personal service, whether in the army or the navy, in national guards or militia, as also from every war tax, forced loan, requisition or military service, whatever it may be, and in every other case they shall not be subjected, whether as regards their personal property or real estate, to other charges or imposts than those to which the natives themselves, or the subjects or citizens of the most favored nation, without exception, shall be subjected.

Hawaiian subjects shall enjoy in all the possessions and colonies of France the same rights, privileges and the same liberty of commerce and navigation which are actually enjoyed or may be enjoyed by the most favored nation; and, reciprocally, the French inhabitants of the possessions and colonies of France shall enjoy, in all their extension, the same rights and privileges, and the same liberty of commerce and navigation which, by this treaty, are accorded in the Hawaiian Islands to the French in regard to their commerce and navigation.

ARTICLE V. French subjects shall not be disturbed or troubled in any way in the Hawaiian Islands on account of religion; they shall enjoy, on the contrary, in the public or private exercise of their worship, entire liberty of conscience and all the guarantees, rights and protection now ensured or that may be hereafter ensured to native subjects and the subjects or citizens of the most favored nation.

Hawaiian subjects shall enjoy, in France, in regard to religion, the same rights, guarantees, liberty and protection.

ARTICLE VI. The subjects of the two countries shall be free to acquire and possess real estate, and to dispose, as may suit them, by sale, donation, exchange, will, or in any other way whatever, of all the property which they may possess in the respective territories; also, the subjects of either of the two States who may become heirs of property situated in the

other, may succeed without hindrance to those said properties which may devolve upon them even *ab intestato*, and dispose of them according to their pleasure; and the said heirs or legatees shall not be subjected to any charges of transfer or deduction, and shall not be bound to pay any expenses of succession or others higher than those which shall be borne, in like cases, by the natives themselves.

ARTICLE VII. If (which God forbid!) the peace between the two contracting parties come to be broken, there shall be granted, on both sides, to the subjects of each of the two contracting parties, a term of one year to settle their affairs and to dispose of their property, and, moreover, a safe conduct shall be delivered to them to embark in such ports as they may voluntarily indicate.

All other Frenchmen or Hawaiians having a fixed or permanent establishment in the respective States, for the exercise of any profession or occupation, whatever it may be, shall be allowed to preserve their establishments and to continue their profession without being disturbed in any manner whatever, and they shall continue in the full and entire possession of their liberty and their property so long as they shall commit no offense against the laws of the country. Finally, their property or goods, of whatever nature they may be, shall not be subjected to any seizure or sequestration, nor to other charges and imposts than those exacted from natives.

Likewise the moneys which may be due to them by private individuals, or which they may possess, in the public funds, in banks, in manufacturing and commercial companies, shall never be seized, sequestered or confiscated.

ARTICLE VIII. French commerce in the Hawaiian Islands, and Hawaiian commerce in France, shall be treated, in regard to custom-house duties, both for importation and exportation, as that of the most favored foreign nation.

In any case the import duty imposed in France upon the products of the soil or of the industry of the Hawaiian Islands, and in those Islands upon the products of the soil or of the industry of France, shall not be other or higher than those to which the same products of the most favored nation are or may be subjected. The same shall be observed in regard to duties on exportation.

No prohibition or restriction of importation or exportation shall take place, in the reciprocal trade of the two countries, which shall not be equally extended to all other nations, and

the formalities which may be required to authenticate the origin or the process of the goods respectively imported into either of the two States, shall be equally common to all other nations.

ARTICLE IX. All the products of the soil and of the industry of either of the two countries, the importation of which is not expressly prohibited, shall pay in the ports of the other the same duties of importation, whether they be laden on board of French or Hawaiian vessels. Also the products exported shall pay the same duties and enjoy the same franchises, allowances and drawbacks of duties which are or may be reserved to the exportation made in national vessels, excepting, however, from the foregoing all special privileges and encouragements granted or to be granted in either of the two countries to their national fisheries.

ARTICLE X. It is agreed:

1. That the importation and the sale of wines and brandies of French origin shall not be prohibited in the Hawaiian Islands.

2. That the rate of duties imposed in Hawaiian ports on the importation of wines of French origin, namely, those known as wines of "cargaison" in casks and in cases, shall not exceed, during the existence of the present treaty, the rate of 5 per cent. on the value, the invoice cost to serve as the basis of appraisement, agreeably to the Hawaiian law of April 27th, 1846.

3. That the rate of duties on French wines of higher quality, but under 18 per cent. of alcoholic strength, shall not, during the same period, exceed that of 15 per cent. *ad valorem*.

4. That the rate of duties imposed upon brandies of French origin shall not exceed, during the same period, three dollars, as a maximum, on the gallon, such as defined by the Hawaiian law of April 27th, 1846, 3d part, 4th chapter, article 2d, page 187.

5. There shall not be added, in any case, to the duties on wines and brandies herein specified any extra charge of customs or navigation, or any other charge, whatever its title may be.

It is understood that nothing in this article shall prohibit the imposition of tonnage dues by the Hawaiian Government on the total amount of foreign and national navigation.

ARTICLE XI. French vessels arriving in the ports of the

Hawaiian Islands or departing from them, and Hawaiian vessels on their entrance to or departure from the ports of France shall not be subjected to other or higher duties of tonnage, light-houses, anchorage, port, government wharfage, pilotage, quarantine or others, under any denomination whatever it may be, affecting the hull of the vessel, than those to which the vessels of the most favored nation are or may be subjected.

ARTICLE XII. French vessels in the Hawaiian Islands, and Hawaiian vessels in France, may discharge a part of their cargo in the port which they may first enter, and repair, afterwards, with the rest of the same cargo to other ports of the same State, whether it be to complete the discharge of their cargo imported, or to complete the lading of their return cargo, they not paying in each port other or higher duties than those which national vessels pay in similar circumstances.

ARTICLE XIII. Whenever in consequence of a forced putting into port or proved average, the vessels of either of the two contracting powers shall enter the ports of the other or touch upon its coast, they shall not be subjected to any duties of navigation, under any denomination under which these duties may be respectively established, except the duties of pilotage and others representing the payment of the services rendered by private exertions, provided that the vessels shall not engage in any operation of trade, whether in loading or in discharging goods. They shall be allowed to deposit on shore the goods composing their cargoes to prevent their destruction, and no other charges shall be exacted of them than those which relate to the hiring of stores and public workshops which may be necessary for the deposit of the goods and the repairs of the damages of the vessels.

ARTICLE XIV. Vessels constructed in France, or nationalized according to the laws of that country, shall be considered to be French vessels, provided always that the captain and three-fourths of the crew be French. The owner or the owners of the said vessels shall have to prove the same nationality only in the same proportions as required by the French laws.

In like manner all the vessels constructed within the territory of the Hawaiian Islands, or nationalized agreeably to Hawaiian laws, shall be considered Hawaiian vessels, provided always that the captain and three-fourths of the crew be Hawaiian. The owner or the owners of the said vessels

shall have to prove the same nationality only in the same proportions as those required by the Hawaiian laws.

It is besides agreed that every French or Hawaiian vessel, in order to enjoy, under the above conditions, the privilege of its nationality, shall be furnished with a passport, license to sail, or register, the form of which shall be reciprocally communicated, and which being certified by the authorities competent to deliver the same shall show:

1. The name, the profession and the residence in France, or in the Hawaiian Islands, of the owner, expressing therein that he is the only owner, or if there are several owners, stating their number and what share each of them possesses.

2. The name, the dimensions, the burden, and in short all the peculiarities of the vessel which may distinguish her as well as establish her nationality. In case of any doubt in regard to that nationality, that of the owner, of the captain and of the crew, the consuls or consular agents of either of the two countries to which the vessel may be destined shall have the right to require authentic proofs before viséing the papers on board, but this to be without any expense to the vessel.

If experience should hereafter demonstrate that the interests of the navigation of either of the two contracting parties suffer by the tenor of the present article, they reserve to themselves to make therein in common accord the modifications which may appear to them convenient.

ARTICLE XV. The vessels of war, the steam vessels belonging to the State, the packet boats engaged in the postal service, and the French whaling vessels, shall have free access to the Hawaiian ports of Hanalei, Honolulu, Lahaina, Hilo, Kawaihae, Kealakeakua and Koloa; they shall have liberty to stay there to make repairs and to refresh their crews; they may also proceed from one port to another of said ports of the Hawaiian Islands with the view of there procuring fresh provisions.

In all the ports specified in the present article, as well as in all those which may be hereafter opened to foreign vessels, the vessels of war, steam vessels belonging to the State, the packet boats engaged in the postal service and the French whaleships shall be subjected to the same rules as are or may be imposed on, and shall enjoy in all respects the same rights, privileges and immunities which are or may be granted to the same Hawaiian vessels and whaleships, or to those of the most favored nation.

ARTICLE XVI. Consuls and vice-consuls of each of the two countries may be established in the other for the protection of commerce, but those agents shall not enter upon their functions without having obtained the *exequatur* of the territorial government. The latter shall besides preserve their right to determine the localities in which it may suit it to admit consuls, it being well understood that in this respect the two governments shall not offer respectively any restriction which, in their country, may not be common to all nations.

ARTICLE XVII. The respective consuls and vice-consuls, as well as "eleves consuls," chancellors or secretaries attached to their mission, shall enjoy, in the two countries, the privileges generally allowed to their office, such as the exemption from the billet of soldiers and that from all direct contributions as well personal as on movables, or sumptuary, unless always they be subjects of the country, or that they become either proprietors or possessors of real estate, or, finally, that they engage in trade or commerce, whereby they will be subjected to the same taxes, charges or imposts, as other private individuals. These agents shall enjoy, besides, all the other privileges, exemptions and immunities which may be granted in the places of their residence to the agents of the same rank of the most favored nation.

Neither consuls, vice-consuls, nor their "eleves," chancellors or secretaries, provided they are not engaged in business of any sort, but exclusively confine themselves to the fulfillment to their public duties, shall be subjected to appear as witnesses before the tribunals. When the justice of the country shall have need to take any judicial declaration, on their part, it ought to require it of them in writing, or to proceed to their domicile to receive it *viva voce*.

In case of the death, indisposition or absence of the consuls or vice-consuls, the chancellors or secretaries shall enjoy the perfect right of being admitted to manage, *ad interim*, the affairs of the consular establishment, without hindrance or obstacle on the part of the local authorities, which, on the contrary, shall give them, in that case, every aid and assistance; and they shall enjoy, during the period of their provisional management, all the rights, privileges and immunities stipulated, in the present convention, in favor of consuls and vice-consuls.

To secure the execution of the paragraph which precedes, it is agreed that the chiefs of the consular offices, on their arrival in the country of their residence, shall send to the

Government a list of the names of the persons attached to their mission, and if any change should therein afterwards be made, they shall in like manner give notice of the same.

ARTICLE XVIII. The archives, and in general, all the papers of the offices of the chancellors of the respective consulates, shall be inviolable, and, under no pretext nor in any case whatever shall they be seized or examined by the local authorities.

ARTICLE XIX. The respective consuls shall be free to establish consular agents or vice-consuls in the different towns, ports and places within their consular jurisdiction, where the good of the service confided to them shall require it; it being well understood that they shall first obtain the approval and the *exequatur* of the territorial government.

These agents may be indiscriminately chosen from among the subjects of the two countries, as well as from among foreigners, and shall be furnished with a commission delivered by the consul who shall have named them, and under whose orders they may be placed. They shall enjoy, besides, the same privileges and immunities stipulated for by the 17th article of the present convention, subject to the exceptions mentioned in the first paragraph of the said article.

ARTICLE XX. The respective consuls, on the death of their fellow-countrymen, deceased without having made wills, or designated any testamentary executors, shall have power:

1. To affix seals, whether officially or at the request of the parties interested, upon the movable effects and the papers of the deceased, giving, beforehand, notice of that operation to the competent local authorities, who may thereat attend, and who, also, if they think proper, may cross, with their seals, those which shall have been affixed by the consuls, and then those double seals shall not be removed except in concert.

2. Also to draw up, in the presence of the competent authorities of the country, if they think it to be their duty to present themselves on the spot, the inventory of the estate.

3. To cause proceedings to take place, according to the usage of the country, for the sale of the movable goods, belonging to the estate; in fine, to administer or liquidate personally, or to name, under their responsibility, an agent to administer and liquidate the said estate, without any interference by the local authorities in these new operations.

But the said consuls shall be bound to cause to be announced the death of the deceased in one of the gazettes

which may be published within the compass of their jurisdiction; and they shall not have power to make a delivery of the estate, or of its proceeds, to the lawful heirs, or to their mandatories, except after having paid all the debts which the deceased may have contracted in the country, or until one year shall have transpired from the date of the death, without any reclamation having been presented against the estate.

ARTICLE XXI. In everything that concerns the police of the port, the lading and discharging of vessels, the safety of merchandise, property and goods, the subjects of the two countries shall be respectively subject to the laws and statutes of the territory. Nevertheless, the respective consuls shall be exclusively charged with the internal order on board of the merchant vessels of their nation, and shall alone take cognizance of all the crimes, misdemeanors and other matters of difference, in relation to said internal order, which may supervene between the master, the officers, and the crew, provided the contending parties be exclusively French or Hawaiian subjects, and the local authorities shall not be allowed therein to interfere, unless by the approval or consent of the consuls, or in cases where the public peace and tranquility are disturbed and endangered.

ARTICLE XXII. The respective consuls shall have power to cause to be arrested and returned, whether on board or to their own country, sailors and all other persons regularly forming part of the crews of the vessels of their respective nations, bearing any other title than that of passengers, who shall have deserted from the said vessels. For this purpose they shall apply, in writing, to the competent local authorities, and they shall prove by the exhibition of the register of the vessel, or of the roll of the crew, or, if the vessel shall have departed, by copy of the said document, duly certified by them, that the men whom they reclaim made part of the said crew. When this application is so justified, the return is not to be refused. Besides, every aid and assistance shall be given to them for the search, seizure and arrest of the said deserters, who shall even be detained and guarded in the prisons of the country, on the request and at the expense of the consuls, and till those agents shall find an opportunity to send them away. If, however, such an opportunity should not present itself within the period of three months, counting from the day of arrest, the deserters shall be placed at liberty, and shall not be again arrested for the same cause.

It is, moreover, formally agreed that every other concession or facility tending to repress desertion which one of the two contracting parties may have granted, or may hereafter grant, to another State, shall be considered as equally acquired, in full right, by the other contracting party, in the same manner as if that concession or facility had been expressly stipulated in the present treaty.

ARTICLE XXIII. In all cases where there shall be no objection by any of the owners, freighters, insurers, or their respective agents, either in the port of departure or of arrival, the injuries which the vessels of the two countries may have experienced at sea while on their voyage to the respective ports, the repairs of such injuries shall be regulated by the consuls of their respective nations.

ARTICLE XXIV. All the operations relative to the salvage of French vessels shipwrecked or stranded upon the coast of the Hawaiian Islands shall be directed by the consuls of France, and, reciprocally, the Hawaiian consuls shall direct the operations relative to the salvage of the vessels of their nation shipwrecked or stranded on the coasts of France.

The local authorities shall only interfere in the two countries to preserve order, to secure the interests of the salvors, if they do not belong to the shipwrecked crew, and to carry into effect the regulations to be observed for the entry and the exportation of the merchandise saved. In the absence of, and until the arrival of the consul or vice-consul, the local authorities shall, moreover, take all necessary measures for the protection of individuals, and the preservation of goods shipwrecked.

The goods saved shall not be subjected to any custom-house duties, unless they be entered for internal consumption.

The charges for salvage and other necessary expenses in the two countries shall not be other or higher than those which may be paid in like cases by national vessels.

ARTICLE XXV. It is formally agreed between the two contracting parties, that besides the preceding stipulations the diplomatic and consular agents, the subjects of every class, the ships, the cargoes and the merchandise of either of the two States, shall enjoy in full right in the other, the franchises, privileges and immunities of every kind, granted to or which may be hereafter granted in favor of the most favored nation, and this gratuitously if the concession be gratuitous, or with the same compensation if the concession be conditional.

It is specially stipulated that the postal arrangements, concluded in Honolulu on the 24th of November, 1853, and which regulate the exchange of correspondence between the Society Islands and the Hawaiian archipelago, and reciprocally, shall be maintained, and that the two contracting parties reserve to themselves only the right of modifying the details thereof, in the proportion and measure that hereafter necessity may point out.

ARTICLE XXVI. The present treaty shall be in force for ten years, counting from the day of exchange of the ratifications, and if, in one year before the expiration of this term, neither the one nor the other of the two contracting parties announce by an official declaration its intention that it shall cease to have effect, the said treaty will remain still obligatory during one year, and so onwards until the expiration of the twelve months which shall follow the official declaration in question, at whatever time it may be made.

It is well understood that in case this declaration come to be made by one or other of the contracting parties, the provisions of the treaty, relative to trade and navigation, and contained in the articles 8, 9, 10, 11, 12, 13, 14 and 24, shall be alone considered as having ceased and expired, but that, in regard to the other articles, the said treaty shall remain, nevertheless, perpetually obligatory, and cannot be modified except by a mutual agreement between the two contracting parties.

ARTICLE XXVII. The present treaty shall be ratified, and the ratifications exchanged, at Honolulu, within the term of ten months or sooner, if possible, and it shall not go into effect until after twelve months from the date of said exchange.

In faith of which the before-named Plenipotentiaries have signed the same, and have affixed their respective seals.

Done at Honolulu, this twenty-ninth day of October, in the year of Our Lord, one thousand eight hundred and fifty-seven.

(Signed.)	(Signed.)	(Signed.)
EM. PERRIN.	L. KAMEHAMEHA.	R. C. WYLLIE,
[Seal.]	[Seal.]	[Seal.]

AND, WHEREAS, We have fully examined all the points and articles thereof, by and with the advice of Our Privy Council of State, We have confirmed and ratified the foregoing treaty, and We do confirm and ratify the same, in the most effectual

manner, promising on Our faith and word as King, for Us and Our successors, to fulfill and observe it faithfully and scrupulously in all its clauses.

In faith of which We have signed this ratification with Our hand, and have affixed thereto the great seal of Our Kingdom.

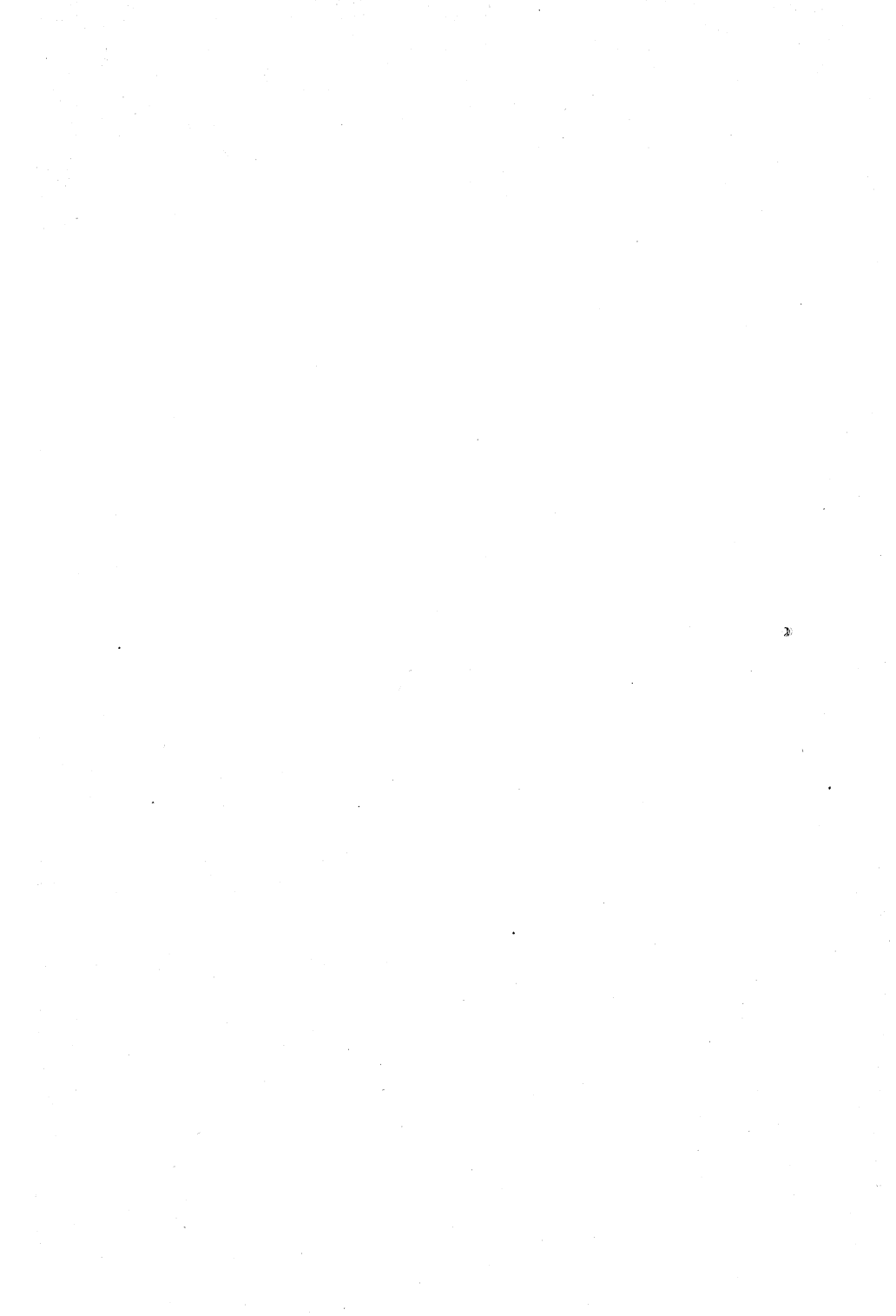
Given at Our Palace, at Honolulu, this eighth day of September, in the year of our Lord, one thousand eight hundred and fifty-eight, and the fourth year of Our reign.

KAMEHAMEHA.

KAAHUMANU.

By the King and Kuhina Nui,

R. C. WYLLIE.



(15) TREATY WITH BELGIUM, OCTOBER 4TH, 1862.

HIS Majesty the King of the Hawaiian Islands on the one part, and His Majesty the King of the Belgians on the other part, desiring to facilitate the establishment of commercial relations between the Hawaiian Islands and Belgium, and to favor their development by a treaty of Amity, Commerce and Navigation, suited for securing to the two countries equal and reciprocal advantages, have nominated to this purpose for their Plenipotentiaries, that is to say:

His Majesty the King of the Hawaiian Islands, Sir John Bowring as Envoy Extraordinary and Minister Plenipotentiary, and His Majesty the King of the Belgians, the Sieur Charles Rogier, His Minister of Foreign Affairs, Grand Officer of the Order of Leopold, etc., etc., etc.

Who having mutually communicated their powers and found them in good and true form, have agreed on the following articles:

ARTICLE I. There shall be perpetual peace and constant friendship between the Kingdom of the Hawaiian Islands and that of Belgium, and between the citizens of the two countries, without exception of person or place.

ARTICLE II. There shall be between the Hawaiian Islands and Belgium reciprocal freedom in commerce and navigation. Hawaiian subjects in Belgium, and Belgians in the Hawaiian Islands, may enter in the same liberty and security with their vessels and cargoes as are enjoyed by the natives of the respective countries, in all places, ports and rivers which are or shall in future be open to foreign commerce; *provided always*, that the police regulations employed for the protection of the citizens of the most favored nations be respected.

ARTICLE III. The citizens of each of the contracting parties may, like the natives in the respective territories, travel or reside, trade wholesale or retail, rent or occupy the houses, stores and shops which they may require; they may carry on the transport of merchandise and money, and receive consignments; they may also, when they have resided more than a year in the country, and their goods, chattels or movables which they there possess shall offer a sufficient security, be admitted as sureties in custom-house transactions.

The citizens of both countries shall, on a footing of perfect equality, be free both to purchase and to sell, to establish and to fix the price of goods, merchandise and articles of

every kind, whether imported or of home manufacture, whether for home consumption or for exportation.

They shall also enjoy liberty to carry on their business themselves, to present to the custom-house their own declarations or to have their place supplied by their own attornies, factors, consignees, agents, or interpreters whether in the purchase or sale of their goods, their property or merchandise, whether for the loading or unloading or of the expedition of their vessels.

They shall also have the right to fulfill all the functions that are confided to them by their own countrymen, by strangers or by natives, in the position of attornies, factors, agents, ccnsignees, or interpreters.

For the performance of all these acts they shall conform to all the laws and regulations of the country, and they shall not be subject in any case to any other charges, restrictions, taxes or impositions than those to which the natives are subject; provided, always, that the police regulations employed for the protection of the citizens of the most favored nation be respected.

It is also specially provided that all the advantages, of any kind whatever, actually granted by the laws and decrees now in force or which shall in future be accorded to foreign settlers, shall be granted to Belgians established or who shall establish themselves in whatever positions they may deem fit in the Hawaiian territory.

And the same shall hold good for Hawaiian subjects in Belgium.

ARTICLE IV. The respective citizens of the two countries shall enjoy the most constant and complete protection for their persons and property. Consequently they shall have free and easy access to the courts of justice in the pursuit and defence of their rights in every instance and degree of jurisdiction established by the laws. They shall be at liberty under any circumstances to employ lawyers, advocates or agents, from any class whom they may see fit to authorize to act in their name. In fine, they shall, in all respects enjoy, the same rights and privileges which are granted to natives, and they shall be subject to the same conditions.

ARTICLE V. The Hawaiians in Belgium, and the Belgians in the Hawaiian Islands, shall be exempt from all service whatever, in the army or navy, or in the national guard or militia, and they cannot be subject to any other charges,

restrictions, taxes or impositions on their property, furniture, or movables than those to which the natives themselves are subject.

ARTICLE VI. The citizens of both countries respectively shall not be subject to any embargo, nor to be detained with their vessels, luggage, cargoes or commercial effects for any military expedition whatever, nor for any public or private service whatever, unless the government or local authority shall have previously agreed with the parties interested, that a just indemnity shall be granted for such service, and for such compensation as might fairly be required for the wrong or injury (which not being purely fortuitous) may have grown out of the service which they have voluntarily undertaken.

ARTICLE VII. The most entire liberty of conscience is guaranteed to Hawaiian subjects in Belgium and to the Belgians in the Hawaiian Islands. Both parties must conform in the outward observance of their religion to the laws of the country.

ARTICLE VIII. Citizens of either of the contracting parties shall, on the respective territories, have the right of possessing property of any sort, and disposing of the same in like manner as the natives.

Belgians shall enjoy in all the Hawaiian territories the right of collecting and transmitting successions *ab intestato* or testamentary as Hawaiians, according to the laws of the country without being subjected as strangers to any burthens or imposts which are not paid by the natives.

And reciprocally Hawaiian subjects shall enjoy as Belgians, the right of collecting and transmitting succession *ab intestato* or testamentary on the same conditions as Belgians, according to the laws of the country, and without being subject as strangers to any charge or impost not payable by the natives.

The same reciprocity between the citizens of the two countries shall exist for donations *inter vivos*. On the exportation of property collected or acquired under any head by Belgians in the Hawaiian Islands, or by Hawaiians in Belgium, there shall be no duty on removal or immigration, nor any duty whatever to which natives are not subjected.

ARTICLE IX. All Belgian or Hawaiian vessels sailing under their respective colors, and which shall be bearers of the ship's papers and documents required by the laws of the respective countries shall be considered as national vessels.

ARTICLE X. Belgian vessels which shall arrive either in

ballast or laden in Hawaiian ports, or which shall leave the same, and reciprocally, Hawaiian vessels which, either in ballast or laden, enter or leave the ports of Belgium, whether by sea, or by river, or canals, whatever be the place of their departure or that of their destination, shall not be subject either at entry or departure, to duties on tonnage, port or transit, pilotages, anchorage, shifting, light-houses, sluices, canals, quarantines, salvage, bonding-warehouses, patents, brokerage, navigation, passage, or to any duties or charges whatever, levied on the hulks of vessels received or established for the benefit of the government, of the public functionaries, communes or establishments of any sort other than those which are now or may hereafter be levied on national vessels.

ARTICLE XI. In all that regards the stationing, the loading and unloading of vessels in the ports, roadsteads, harbors and docks, and generally for all the formalities and arrangements whatever to which vessels employed in commerce with their freight and loading may be subject, it is agreed that no privilege shall be granted to national vessels, which shall be equally granted to vessels of the other country, the intention of the high contracting parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE XII. Vessels of the subjects of the contracting parties, compelled to seek shelter in the ports of the other, shall pay neither on the vessel nor the cargo more duties than those levied on national vessels in the same situation; provided, that the necessity of such shelter seeking be legally shown, that the vessel shall carry on no commercial speculations, and that it will tarry no longer than is required by the motives which impelled it to enter the port.

ARTICLE XIII. Belgian ships of war, and whaling ships, shall have free access to all the Hawaiian ports; they may there anchor, be repaired and victual their crews; they may proceed from one harbor to another of the Hawaiian Islands for fresh provisions.

At all the ports which are or may be hereafter opened to foreign vessels, Belgian ships of war and whalers shall be subject to the same rules which are or may be imposed, and shall enjoy in all respects the same rights, privileges and immunities which are or may be granted to Hawaiian ships and whalers, or to those of the most favored nation.

ARTICLE XIV. Articles of all sorts imported into the ports

of either of the contracting States, under the flag of the other, whatever be their origin, and from whatever country imported, shall pay neither, other nor heavier duties of entry, and shall not be subjected to any other charges than if imported under the national flag.

ARTICLE XV. Articles of all sorts exported from either of the two countries, under the flag of the other, from whatever country they may be, shall not be subjected to other duties or other formalities, than if exported under the national flag.

ARTICLE XVI. Hawaiian ships in Belgium, and Belgian ships in the Hawaiian Islands, may discharge a portion of their cargo in the port of their first arrival, and proceed with the rest of their cargo to other ports of the same country, which may be open to foreign trade, whether to complete their unloading or to provide their return cargo, and shall pay in neither port other or heavier duties than those levied on national vessels in similar circumstances.

As regards the coasting trade, the vessels of each country shall be mutually treated on the same footing as the most favored nation.

ARTICLE XVII. During the period allowed by laws of the two countries for the warehousing of goods, no other duties than those for custody and storage shall be levied upon articles imported from one of the two countries into the other, until they shall be removed for transit, re-exportation or internal consumption.

In no case shall such articles pay higher duties or be liable to other formalities than if they had been imported under the national flag, or from the most favored country.

ARTICLE XVIII. Merchandise shipped on board Belgian or Hawaiian ships, or belonging to their respective citizens, may be transhipped in the ports of the two countries to a vessel bound for a national or foreign port, according to the custom house regulations of the two countries, and the goods so transhipped for other ports shall be exempt from all duties of customs or warehouses.

ARTICLE XIX. Articles of all sorts proceeding from Belgium, or shipped for Belgium, shall enjoy in their passage through the territory of the Hawaiian Islands, whether in direct transit or for re-exportation, all the advantages possessed under the same circumstances by the most favored nation.

And reciprocally the articles of every sort, the produce of the Hawaiian Islands or sent from that country, shall enjoy

in their passage through Belgium, the same advantages as are possessed by the most favored nation.

ARTICLE XX. Neither one nor the other of the contracting parties will impose upon the goods proceeding from the soil, the manufactures or the warehouses of the other different or greater duties on importation or re-exportation, than those which shall be imposed on the same merchandise coming from any other foreign country.

Nor shall there be imposed on the goods exported from one country to the other, different or higher duties than if they were exported to any other foreign country.

No restriction or prohibition of importation or re-exportation shall take place in the reciprocal commerce of the contracting parties which shall not be equally extended to all other nations.

ARTICLE XXI. Consuls-General, Consuls, Vice-Consuls and Consular Agents may be established by each country in the other for the protection of commerce, such agents shall not enter upon their functions or enjoyment of the rights, privileges and immunities which belong to them until they have obtained the authorization of the territorial government, which shall, besides, preserve the right of determining the place of residing where Consuls may be established; it being understood that neither Government will impose any restriction which is not common in the country to all nations.

ARTICLE XXII. The Consuls General, Consuls, Vice-Consuls and Consular Agents of Belgium in the Hawaiian Islands shall enjoy all the privileges, immunities and exemptions enjoyed by the agents of the most favored nation in the same circumstances,

And the same shall be the position in Belgium of the Hawaiian Consuls-General, Consuls, Vice-Consuls and Consular Agents.

ARTICLE XXIII. The desertion of seamen embarked in the vessels of either of the contracting parties shall be severely dealt with in their respective territories. In consequence the Belgian consuls shall have the power to cause to be arrested and sent on board, or to Belgium, seamen who may have deserted Belgian vessels in the Hawaiian ports. But for this purpose they must apply to the competent local authorities, and justify, by the exhibition of the original or the duly certified copy of the ship's register, the roll or other official documents to prove that the persons named formed

part of the ship's crew. On this application, so supported, the delivery of the seamen shall not be refused.

All aid and assistance shall be given for the discovery and arrest of such deserters, who shall be detained in the prisons of the country, on the requirement and at the expense of the consuls, until they shall find an opportunity of sending them away. If, however, no opportunity shall offer in the course of two months, counting from the day of arrest, the deserters may be set at liberty.

It is understood that seamen who are native Hawaiians shall be excepted from this arrangement and to be treated according to the laws of their own country.

If the deserter have committed any crime in the Hawaiian territory, his release shall not take place till the competent tribunal shall have given judgment, and this judgment been carried into execution.

Hawaiian consuls shall possess exactly the same rights in Belgium, and it is formally agreed between the two contracting parties, that every other favor or facility granted or to be granted by either to any other power for the arrest of deserters shall be also granted to the present contracting parties as fully as if they had formed part of the present treaty.

ARTICLE XXIV. All operations connected with the salvage of stranded or wrecked vessels on the Hawaiian coasts shall be superintended by the Consular Agent of Belgium and reciprocally the Consular Hawaiian Agents shall superintend the operations connected with the salvage of Hawaiian vessels stranded or wrecked on the Belgian coasts.

But if the parties interested find themselves on the spot, or the captain possess adequate powers, the administration of the wreck shall be committed to them.

The intervention of the local authorities shall only be applied to the maintenance of order, to guarantee the rights of the salvors if they do not belong to the ship-wrecked crew, and to assure the execution of the measures to be taken for the entry and departure of the saved goods. In the absence and until the arrival of the Consular Agents, the local authorities will take the needful steps for the protection of persons and property wrecked.

The goods saved shall never be subjected to customs or duty, unless they are disposed of for home consumption.

ARTICLE XXV. The ships, merchandise and effects belonging to the respective citizens which may have been taken by

pirates or conveyed to or found in the ports of either of the contracting parties, shall be delivered to their owners on payment of the expenses should there be such, the amount to be determined by the competent tribunals when the right of the proprietor shall be proved before these tribunals, and the claim being made within the space of eighteen months by the interested parties, by their attorneys, or by the agents of their respective Governments.

ARTICLE XXVI. If, from a concurrence of unfortunate circumstances, differences between the contracting parties should cause an interruption of the relations of freindship between them, and that after having exhausted the means of an amicable and conciliatory discussion, the object of their mutual desire should not have been completely attained, the arbitration of a third power, equally the friend of both shall by a common accord be appealed to, in order to avoid by this means a definitive rupture.

ARTICLE XXVII. The present treaty shall be in vigor for ten years, to commence six months after the exchange of ratification. If a year before the expiration of this term neither of the contracting parties shall have announced, by an official declaration, its intention of terminating it, the treaty shall still remain in force for a year, and so continue from year to year.

ARTICLE XXVIII. The present treaty shall be ratified and the ratification exchanged at Brussels, whithin the space of eighteen months, or earlier if may be.

In faith whereof the respective Plenipotentiaries have signed the same, and thereto affixed their seals.

Done in duplicate at Brussels this fourth day of October, in the year of our Lord one thousand eight hundred and sixty-two.

[L. s.]

[L. s.]

JOHN BOWRING.

C. ROGIER.

(16) TREATY WITH THE NETHERLANDS.

OCTOBER 16, 1862.

His Majesty the King of the Hawaiian Islands, on the one part, and His Majesty the King of the Netherlands on the other part, desiring by a treaty of Friendship, Commerce and Navigation to secure amicable relations between the two kingdoms and commercial intercourse between their respective subjects, have to this end named for their Plenipotentiaries, that is to say:

His Majesty the King of the Hawaiian Islands, Sir John Bowring, Knight Bachelor of England, His Minister Plenipotentiary and Envoy Extraordinary; and His Majesty the King of the Netherlands, Jonkheer Paul vander Maesen de Sombreff, His Minister of Foreign Affairs, and Gerardus Henri Betz, His Minister of Finance; who, after having examined their full powers and found them in good and true form have agreed on the following articles:

ARTICLE I. There shall be a sincere and durable friendship between His Majesty the King of the Hawaiian Islands, His heirs and successors and His subjects, on the one part, and His Majesty the King of the Netherlands, His heirs and successors and His subjects on the other part.

ARTICLE II. The respective subjects of the two high contracting parties shall be perfectly and in all respects assimilated on their establishment and settlement, whether for a longer or shorter time in the States and Colonies of the other party on the terms granted to the subjects of the most favored nation in all which concerns the permission of sojourning, the exercise of legal professions, imposts, taxes, in a word, all the conditions relative to sojourn and establishment.

ARTICLE III. The products and manufactured articles of every sort, coming from the Hawaiian Islands, imported directly or indirectly, and all merchandise without distinction of origin imported from the Hawaiian Islands or their colonies, shall be admitted on the payment of customs import duties equal and not greater and on the same conditions as those to which are subjected the produce and manufactured articles of the most favored foreign nation, in the Netherlands and their colonies in matters of commerce and customs.

And reciprocally the produce and manufactured articles of every sort proceeding from the Kingdom of the Nether-

lands or from its colonies, imported directly or indirectly, and all goods without distinction of origin, imported from the Netherlands into the Hawaiian Islands, shall be admitted on the payment of customs and import duty equal but not greater and under the same conditions as are imposed on the products and manufactured articles of the most favored foreign nation in the Hawaiian Islands, and their colonies, as regards commerce and customs.

Exception is allowed from this rule where special favors have been or may hereafter be granted in the Netherlands Colonies of the East Indies, to the Asiatic nations of the Eastern Archipelago, for the importation of the products of their soil and their industry and for their exportations.

ARTICLE IV. No duties of tonnage, harbor, light-houses, pilotage, quarantine or other similar duties of whatever nature or under whatever denomination, shall be imposed in either country upon the vessels of the other, which shall not be equally imposed in the like cases on national vessels. And in general as concerns the importation of all goods and articles of whatever description, the Netherland flag in the Hawaiian Islands, and the Hawaiian flag in the Netherlands and their colonies, will be assimilated to the flag of the most favored foreign nation.

ARTICLE V. Any advantage which in future either of the high contracting parties shall grant to another state as regards the establishments or exercise of industry, commerce, custom duties or navigation, shall be granted in the same way and at the same time to the other contracting party.

ARTICLE VI. The present treaty shall be in vigor for ten years, to date from the day of the exchange of the ratifications.

In case that neither the one nor the other shall have notified twelve months before the expiration of the said period of ten years the intention of terminating its conditions, the treaty shall continue in force for another year, to reckon from the day on which the other contracting party shall have given notice, and so on from year to year.

The ratification shall take place by His Majesty the King of the Hawaiian Islands and His Majesty the King of the Netherlands,—and the ratification shall be exchanged at the Hague or elsewhere, within the space of eighteen months, or earlier if may be.

In witness of which the above named Plenipotentiaries have signed and affixed hereto their respective seals.

Done at the Hague, this sixteenth day of October, in the year one thousand eight hundred and sixty-two.

[L. S.] JOHN BOWRING.

[L. S.] J. P. VANDER MAESEN DE SOMBREFF.

[L. S.] G. H. BETZ.



(17) TREATY WITH THE SWISS CONFEDERATION,

JULY 20TH, 1864.

TREATY of Friendship, Establishment and Commerce between His Majesty the King of the Hawaiian Islands and the Swiss Confederation.

His Majesty the King of the Hawaiian Islands and the Swiss Confederation, animated by the desire to establish and to strengthen the ties of Friendship between the two countries, and to promote by every means in their power the commercial relations between their respective citizens, have resolved to conclude a Treaty of Friendship and Commerce and reciprocal establishment, and have for that purpose named as their Plenipotentiaries, that is to say:

His Majesty the Hawaiian King, Sir John Bowring, Knight Bachelor of Great Britain, Commander of the Order of Leopold of Belgium, etc., etc., His Envoy Extraordinary and Minister Plenipotentiary, and the Swiss Federal Council, Mr. Frederic Frey Flerosee, Federal Colonel, Member of the Swiss Federal Council, head of the Department of Commerce and Customs, who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and signed the following articles:

ARTICLE I. There shall be, between the Hawaiian Islands and Switzerland, perpetual peace and reciprocal liberty of establishment and commerce; Hawaiians shall be received and treated in every canton of the Swiss Confederation, as regards their persons and their properties, on the same footing and in the same manner as now are or may hereafter be treated, the citizens of other cantons. The Swiss shall enjoy in the Hawaiian Islands all the same rights as Hawaiians in Switzerland. Conformably with this principle and within these limits, the citizens of each of the contracting parties may freely, in their respective territories, and conforming themselves to the laws of the country, travel and sojourn, trade wholesale and retail, exercise every profession or industry, hire and occupy houses, warehouses, shops or other establishments necessary to them, effect transport of merchandise and money, receive consignments both from the interior and from foreign countries, and for all or any of these operations the said citizens shall be subject to no other obligations than those which rest upon national subjects, excepting those police arrangements which are employed towards

the most favored nations. They shall both be placed on a footing of perfect equality, free in all their purchases, as in all their sales, and to establish and to fix the price of articles, merchandise and all objects imported, as well as national, whether sold for home consumption or intended for exportation, on the condition of expressly conforming to the laws and regulations of the country.

They shall enjoy the same freedom for carrying on their own affairs, of presenting in the custom-house their own declarations, or of replacing them by whom they please as attorneys, factors, agents, consignees or interpreters in the purchase or sale of their goods, properties or merchandise. They shall enjoy the right of exercising all the functions confided to them by their own countrymen, by foreigners or natives as attorneys, factors, agents consignees or interpreters.

In fine they shall not pay on account of their commerce or industry in any of the towns, or places of the said States, whether they be there established or temporarily residing, any duties, taxes or imposts of whatever denomination they may be, other or higher than those paid by natives or citizens of the most favored nations and the privileges, immunities or other favors whatever, which are enjoyed in the matters of commerce or industry by the citizens of either of the contracting States shall be common to those of the other.

ARTICLE II. The citizens of one of the contracting parties residing or established in the territories of the other, who may desire to return to their country or who shall be sent away by a judicial sentence, by a police measure regularly adopted and executed or according to the laws of mendicancy and public morals, shall be received at all times and under all circumstances, they and their families in the country of their origin and in which they may have preserved their legal rights.

ARTICLE III. The citizens of each of the contracting parties shall enjoy on the territory of the other the most perfect and complete protection for their persons and their properties. They shall in consequence have free and easy access to the tribunals of justice for their claims and the defence of their rights, in all cases and in every degree of jurisdiction established by the law. They shall be free to employ in all circumstances advocates, lawyers or agents of any class whom they may choose to act in their name, chosen

among those admitted to exercise these professions by the laws of the country. In fine they shall enjoy in this respect the same rights and privileges accorded to natives and be subject to the same conditions.

Anonymous, commercial, industrial or financial societies, legally authorized in either of the two countries, shall be admitted to plead in justice in the other, and shall enjoy in this respect the same rights as individuals.

ARTICLE IV. The citizens of each of the contracting parties shall, on the territories of the other, enjoy full and entire liberty to acquire, to possess by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, or in any other way, every sort of real or personal property which the laws of the country allow a native of the country to dispose of or to possess.

Their heirs and representatives may succeed them and take possession by themselves, or by their attorneys, acting in their names, according to the ordinary forms of law applicable to native citizens.

In the absence of such heirs or representatives, the property shall be treated in the same manner as that of a native citizen under similar circumstances.

And in no case shall they pay on the value of such property any impost, contribution or charge, other or greater than that to which natives are subject.

In all cases it shall be allowed to the citizens of the two contracting parties to export their property, that is to say: Hawaiian citizens on Swiss territory, and Swiss citizens on Hawaiian territory, shall freely and without being subjected on exportation to pay any duty whatever as strangers, or being called on to pay other or heavier duties than those to which native citizens are themselves subject.

ARTICLE V. The citizens of each of the contracting parties who may be in the territories of the other, shall be freed from all obligatory military service, either in the army or the navy, the national or civic guard or militia. They shall be free from the payment of all exemption money or contributions imposed for personal service, as from all military requisitions, except for lodgings or supplies for soldiers on their route, according to the usage of the country, to be required equally from natives and from foreigners.

ARTICLE VI. Neither in time of peace nor in time of war shall there, under any circumstances, be imposed or exacted on the property of a citizen of either of the contracting par-

ties in the territories of the other taxes, duties, contributions or charges higher than are imposed or exacted on the same properties belonging to a native of the country, or a subject of the most favored nation.

It is further understood that there shall be neither received nor demanded from a citizen of either of the contracting parties in the territory of the other, any impost, be it what it may, other or greater than what is or may be demanded of a native or a citizen, or subject of the most favored nation.

ARTICLE VII. It shall be free for each of the two contracting parties to nominate Consuls, Vice-Consuls or Consular Agents, in the territories of the other. But before any of these officers can act as such, he must be acknowledged and admitted by the government to which he is sent, according to the ordinary usage, and either of the contracting parties may except from the residence of consular officers such particular places as it may deem fit.

The Consular authorities of each of the contracting parties shall enjoy on the territories of the other all the privileges, exemptions and immunities accorded to officers of the same rank of the most favored nation.

ARTICLE VIII. The two contracting parties promise to place the respective citizens in everything which concerns the importation, warehousing, transit and exportation of every article of legal commerce on the same footing as native citizens, or the citizens or subjects of the most favored nation, wherever these enjoy an exceptional advantage not granted to natives.

ARTICLE IX. Neither of the contracting parties shall exact on the importation, warehousing, transit or exportation of the products of the soil, or manufactures of the other, higher duties than those which are or may be imposed on the same articles, being the produce of the soil, or the manufactures of any other country. The import duties to be paid in the Hawaiian Islands on the products of Swiss origin or manufacture shall, therefore, be, as soon as this present treaty becomes in force, reduced to the rate accorded to the most favored nation, and levied by the same rule and under the same conditions.

ARTICLE X. The two contracting parties promise that in case either of them shall grant to a third power any favor in commercial or custom house matters, that favor shall be extended at the same time and in full right to the other of the contracting parties.

ARTICLE XI. Articles subject to duty on entry, but serving as patterns, and which are imported into the Hawaiian Islands by commercial travelers of Swiss houses, or imported into Switzerland by the commercial travelers of Hawaiian houses shall, on both sides, be admitted without charge, subject to the custom house regulations necessary to insure their re-exportation or transfer to the bonded warehouse.

ARTICLE XII. Should any question arise between the contracting countries which cannot be amicably settled by the diplomatic correspondence of the two governments, these shall by common accord designate a third friendly and neutral power as arbiter, whose decision shall be recognized by both parties.

ARTICLE XIII. The stipulations of the present treaty shall take effect in the two countries from the hundredth day after the exchange of the ratifications. The treaty shall remain in vigor for ten years, dating from the day of the said exchange. In case neither of the contracting parties shall have notified twelve months before the end of the said period its intention to terminate the same, this treaty will continue obligatory till the expiry of a year, reckoning from the day on which either of the contracting parties shall give notice of its termination.

The contracting parties reserve to themselves the right of introducing by common consent into this treaty any modifications which are not opposed to its spirit or its principles, and of which experience shall have demonstrated the utility.

ARTICLE XIV. The present treaty shall be subjected to the approval of the Privy Council of His Hawaiian Majesty, and of the Legislative Chambers of Switzerland, and the ratifications shall be exchanged in Paris within eighteen months of the date of the signature, or earlier if may be.

In faith of which the respective Plenipotentiaries have signed the treaty and hereunto affixed their seals.

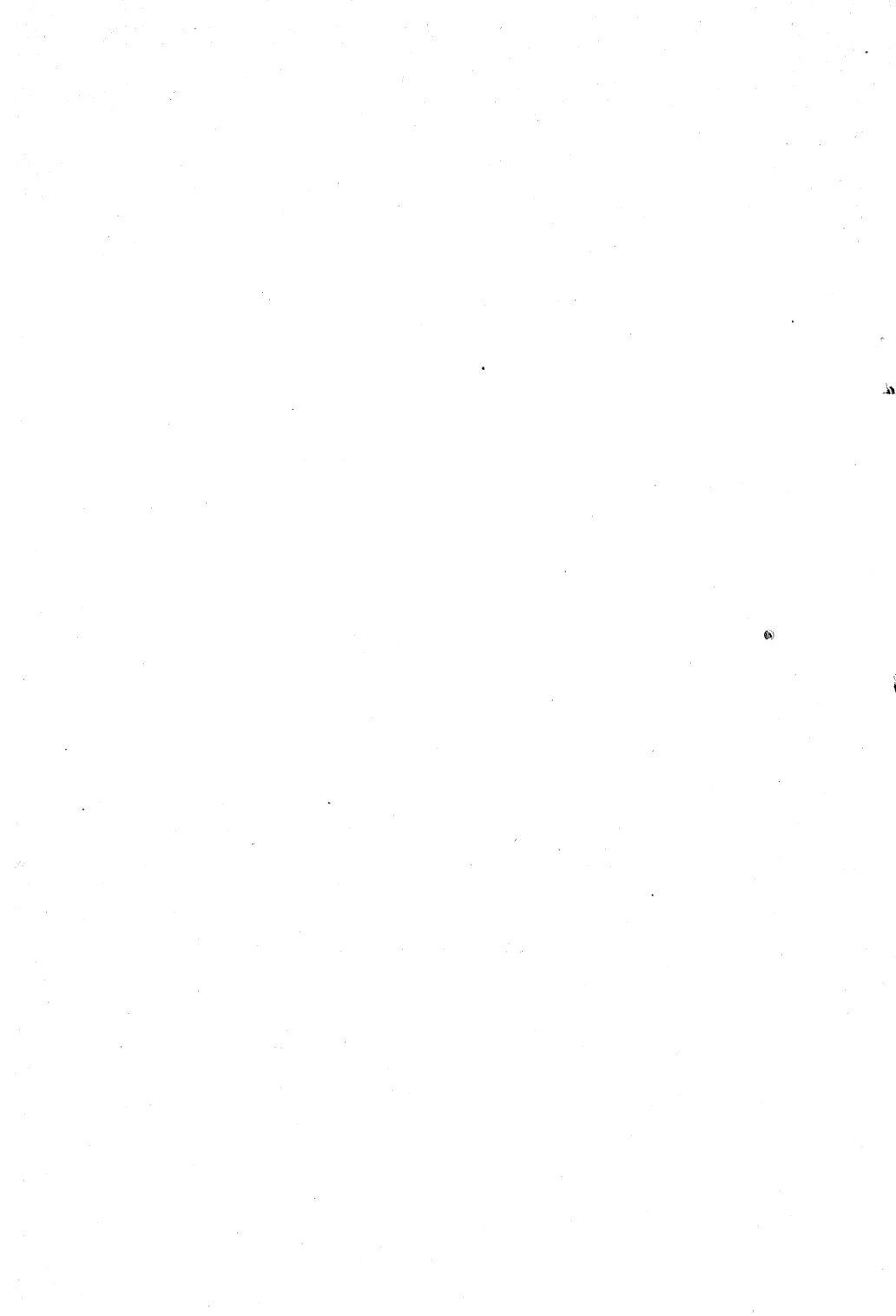
Done by duplicate in Berne the twentieth day of July, one thousand eight hundred and sixty-four.

By the Hawaiian Plenipotentiary,

[L. s.] JOHN BOWRING,

By the Swiss Plenipotentiary,

[L. s.] FREDERIC FREY FLEROSEE.



(18) TREATY WITH ITALY, JULY 22, 1863.

His Majesty the King of Italy, on the one part, and His Majesty the King of the Hawaiian Islands, on the other part, desiring to facilitate the establishment of commercial relations between Italy and the Hawaiian Islands, and to favor their development by a treaty of Amity, Commerce and Navigation, suited for securing to the two countries equal and reciprocal advantages, have nominated for this purpose Plenipotentiaries, that is to say:

His Majesty the King of Italy, the Chevalier Constantino Nigra, His Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of the French; and His Majesty the King of the Hawaiian Islands, Sir John Bowring, His Envoy Extraordinary and Minister Plenipotentiary; who having mutually communicated their powers, and found them in good and true form, have agreed upon the following articles:

ARTICLE I. There shall be perpetual peace and constant friendship between the Kingdom of Italy and that of the Hawaiian Islands, and between the citizens of the two countries, without exception of person or place.

ARTICLE II. There shall be, between Italy and the Hawaiian Islands, reciprocal freedom in commerce and navigation. Italians in the Hawaiian Islands, and Hawaiian subjects in Italy, may enter in the same liberty and security with their vessels and cargoes as are enjoyed by the natives themselves in all places, ports and rivers which are, or shall in future be open to foreign commerce, provided, always, that the police regulations employed for the protection of the citizens of the most favored nations be respected.

ARTICLE III. The citizens of the two contracting parties may, like the natives in the respective territories, travel or reside, trade wholesale or retail, rent or occupy the houses, stores and shops which they may require; they may carry on the transport of merchandise and money, and receive consignments; they may also, when they have resided more than a year in the country, and the real or personal property which they may possess shall offer a sufficient security, be admitted as sureties in Custom-house transactions. The citizens of both countries shall, on a footing of perfect equality, be free both to purchase and to sell, to establish and to fix the price of goods, merchandise and articles of every kind, whether imported or of home manufacture.

whether for home consumption or for exportation. They shall also enjoy liberty to carry on their business themselves, to present to the Custom-house their own declarations; or to have their places supplied by their own attorneys, factors, consignees, agents or interpreters, whether in the purchase or sale of their goods, property or merchandise; whether for the loading or unloading and expedition of their vessels.

They shall also have the right to fulfill all the functions that are confided to them by their own countrymen, by strangers, or by natives, in the position of attorneys, factors, agents, consignees, or interpreters.

For the performance of all these acts, they shall conform to all the laws and regulations of the country, and they shall not be subject, in any case, to any other charges, restrictions, taxes or impositions than those to which the natives are subject, provided, always, that the police regulations employed for the protection of the most favored nation be respected. It is also specially provided that all the advantages of any kind whatever, actually granted by the laws or decrees now in force, or which in future shall be accorded to foreign settlers, shall be guaranteed to Italians established, or who establish themselves in whatever locality they may deem fit in the Hawaiian territory, and the same shall hold good for Hawaiian subjects in Italy.

ARTICLE IV. The respective citizens of the two countries shall enjoy the most constant and complete protection for their persons and property. Consequently, they shall have free and easy access to the courts of justice in the pursuit and defence of their rights, in every instance and degree of jurisdiction established by the laws. They shall be at liberty, under any circumstances, to employ lawyers, advocates or agents from any class, whom they may see fit to authorize to act in their name. In fine, they shall in all respects enjoy the same rights and privileges which are granted to natives, and they shall be subject to the same conditions.

ARTICLE V. The Italians in the Hawaiian Islands, and the Hawaiians in Italy, shall be exempt from all service, whether in the army or navy, or in the national guard or militia, and they cannot be subject to any other charges, restrictions, taxes or impositions on their property, real or personal, than those to which the natives themselves are subject.

ARTICLE VI. The citizens of both countries respectively shall not be subject to any embargo, nor to be detained with

their vessels, crews, cargoes or commercial effects for any military expedition whatever, nor for any public or private service whatever, unless the government or local authority shall have previously agreed with the parties interested, that a just indemnity shall be granted for such service, and for such compensation as might fairly be required for the injury which (not being purely fortuitous) may have grown out of the service which they have voluntarily undertaken.

ARTICLE VII. The most entire liberty of conscience is guaranteed to the Italians in the Hawaiian Islands, and to Hawaiian subjects in Italy. Both parties must conform in the outward observance of their religion to the laws of the country.

ARTICLE VIII. Citizens of either of the contracting parties shall, on the respective territories, have the right of possessing property of any sort, and disposing of the same to the natives.

Italians shall enjoy in all the Hawaiian territories the right of collecting and transmitting successions *ab intestato* or testamentary as Hawaiians, according to the laws of the country without being subjected as strangers to any burthens or imposts which are not paid by the natives.

Reciprocally Hawaiian subjects shall enjoy in Italy the right of transmitting succession *ab intestato* or testamentary on the same conditions as Italians, according to the laws of the country, and without being subject as strangers to any charge or impost not paid by the natives.

The same reciprocity between the citizens of the two countries shall exist for donations *inter vivos*. On the exportation of property collected or acquired under any head by Italians in the Hawaiian Islands, or by Hawaiians in Italy, there shall be no duty on removal or immigration, nor any duty whatever to which natives are not subjected.

ARTICLE IX. All Italian or Hawaiian vessels sailing under their respective flags, and which shall be bearers of the ship's papers and documents required by the laws of the respective countries shall be considered as Italian or Hawaiian vessels respectively.

ARTICLE X. Italian vessels which shall arrive either in ballast or laden in Hawaiian ports, or which shall leave the same, and reciprocally, Hawaiian vessels which, either in ballast or laden, enter or leave the ports of Italy, whether by sea, river or canals, whatever be the port of their departure or their destination, shall not be subject either on entry or

departure, to duties on tonnage, port or transit, pilotages, anchorage, shifting, light-houses, sluices, canals, quarantines, salvage, bonding-warehouses, patents, brokerage, navigation, passage, or to any duties or charges whatever, levied on the hulks of vessels received or established for the benefit of the government, public functionaries, communes or establishments of any sort other than those which are now or may hereafter be levied on national vessels.

ARTICLE XI. In all that regards the stationing, the loading and unloading of vessels in the ports, roadsteads, harbors and docks, and generally for all the formalities and arrangements to which vessels employed in commerce with their freights and loading may be subject, it is agreed that no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country, the intention of the high contracting parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE XII. Vessels of the contracting parties, compelled to seek shelter in the ports of the other, shall pay neither on the vessels nor the cargo more duties than those levied on national vessels in the same situation; provided, that the above-named ships shall carry on no commercial speculations, and that they tarry no longer in the aforesaid ports than is required by the motives which impelled them to seek such shelter.

ARTICLE XIII. Italian ships of war, and whaling ships, shall have free access to all the Hawaiian ports; they may there anchor, be repaired and victual their crews; they may proceed from one harbor to another of the Hawaiian Islands for fresh provisions.

In all the ports which are or may be hereafter opened to foreign vessels, Italian ships of war and whalers shall be subject to the same rules which are or may be imposed, and shall enjoy in all respects the same rights, privileges and immunities which are or may be granted to Hawaiian ships and whalers, or to those of the most favored nation.

ARTICLE XIV. Articles of all sorts imported into the ports of either of the contracting States, under the flag of the other, whatever be their origin, and from whatever country imported, shall pay neither, other nor heavier duties of entry, and shall not be subjected to any other charges than if imported under the national flag.

ARTICLE XV. Articles of all sorts exported from either of the two countries, under the flag of the other, from whatever country they may be, shall not be subjected to other duties or other formalities, than if exported under the national flag.

ARTICLE XVI. Italian ships in Hawaiian Islands, and Hawaiian ships in Italy, may discharge a portion of their cargo in the port of their first arrival, and proceed with the rest of their cargo to other ports of the same country, which may be open to foreign trade, whether to complete their unloading or to provide their return cargo, and shall pay in neither port other or heavier duties than those levied on national vessels in similar circumstances.

As regards the coasting trade, the vessels of each country shall be mutually treated on the same footing as the most favored nation.

ARTICLE XVII. During the period allowed by laws of the two countries for the warehousing of goods, no other duties than those for custody and storage shall be levied upon articles imported from one of the two countries into the other, until they shall be removed for transit, re-exportation or internal consumption.

In no case shall such articles pay higher duties or be liable to other formalities than if they had been imported under the national flag, or from the most favored country.

ARTICLE XVIII. Merchandise shipped on board Italian or Hawaiian ships, or belonging to their respective citizens, may be transhipped in the ports of the two countries to a vessel bound for a national or foreign port, according to the custom house regulations of the two countries, and the goods so transhipped for other ports shall be exempt from all duties of customs or warehouses.

ARTICLE XIX. Articles of all sorts proceeding from Italy, or shipped for Italy, shall enjoy in their passage through the territory of the Hawaiian Islands, whether in direct transit or for re-exportation, all the advantages possessed under the same circumstances by the most favored nation.

Reciprocally objects of every sort, the produce of the Hawaiian Islands or sent from that country, shall enjoy in their passage through Italy, the same advantages as are possessed by the most favored nation.

ARTICLE XX. Neither one nor the other of the contracting parties will impose upon the goods proceeding from the soil, the manufactures or the warehouses of the other different or greater duties on importation or re-exportation, than

those which shall be imposed on the same merchandise coming from any other foreign country.

Nor shall there be imposed on the goods exported from one country to the other, different or higher duties than if they were exported to any other foreign country.

No restriction or prohibition of importation or exportation shall take place in the reciprocal commerce of the contracting parties which shall not be equally extended to all other nations.

ARTICLE XXI. Consuls-General, Consuls, Vice-Consuls and Consular Agents may be established by each country in the other for the protection of commerce, such agents shall not enter upon their functions or enjoyment of the rights, privileges and immunities which belong to them until they have obtained the authorization of the territorial government, which shall, besides, preserve the right of determining the place of residence where Consuls may be established; it being understood that neither Government will impose any restriction which is not common in the country to all nations.

ARTICLE XXII. The Consuls General, Consuls, Vice-Consuls and Consular Agents of Italy, in the Hawaiian Islands, shall enjoy all the rights, privileges, immunities and exemptions enjoyed by the agents of the most favored nation in the same circumstances.

And the same shall be the position in Italy, of the Hawaiian Consuls-General, Consuls, Vice-Consuls and Consular Agents.

ARTICLE XXIII. The desertion of seamen embarked in the vessels of either of the contracting parties shall be severely dealt with in their respective territories. In consequence the Italian consuls shall have the power to cause to be arrested and sent on board, or to Italy, seamen who have deserted Italian vessels in the Hawaiian ports. But for this purpose they must apply to the competent local authorities, and justify, by the exhibition of the original or the duly certified copy of the ship's register, the roll or other official documents to prove that the persons named formed part of the ship's crew. On their application, so supported, the delivery of the seamen shall not be refused.

All aid and assistance shall be given for the discovery and arrest of such deserters, who shall be detained in the prisons of the country, on the requirement and at the expense of the consuls, until they shall find an opportunity of sending them

away, If, however, no opportunity shall offer in the course of two months, counting from the day of arrest, the deserters may be set at liberty.

It is understood that seamen who are native Hawaiians shall be excepted from this arrangement and to be treated according to the laws of their own country.

If the deserter have committed any crime in the Hawaiian territory, his release shall not take place till the competent tribunal shall have given judgment, and this judgment been carried into execution.

Hawaiian consuls shall possess exactly the same rights in Italy, and it is formally agreed between the two contracting parties, that every other favor or facility granted or to be granted by either to any other power for the arrest of deserters shall be also granted to the present contracting parties as fully as if they had formed part of the present treaty.

ARTICLE XXIV. All operations connected with the salvage of stranded or wrecked Italian vessels on the Hawaiian coasts shall be superintended by the Consular Agent of Italy, and reciprocally the Consular Hawaiian Agents shall superintend the operations connected with the salvage of Hawaiian vessels stranded or wrecked on the Italian coasts.

But if the parties interested happen to be on the spot, or the captain possess adequate powers, the administration of the wreck shall be committed to them.

The intervention of the local authorities shall only be applied to the maintenance of order, to guarantee the rights of the salvors if they do not belong to the ship-wrecked crew, and to insure the execution of the measures to be taken for the entry and departure of the saved goods. In the absence and until the arrival of the Consular Agents, the local authorities will take the needful steps for the protection of persons and property wrecked.

The goods saved shall never be subjected to customs or duty, unless they are disposed of for home consumption.

ARTICLE XXV. The ships, merchandise and effects belonging to the respective citizens which may have been taken by pirates or conveyed to or found in the ports of either of the contracting parties, shall be delivered to their owners on payment of the expenses should there be such; the amount to be determined by the competent tribunals when the right of the proprietor shall be proved before these tribunals, and the claim being made within the space of eighteen months by

the interested parties, by their attorneys, or by the agents of their respective Governments.

ARTICLE XXVI. If, from a concurrence of unfortunate circumstances, differences between the contracting parties should cause an interruption of the relations of friendship between them, and that after having exhausted the means of an amicable and conciliatory discussion, the object of their mutual desire should not have been completely attained, the arbitration of a third power, equally the friend of both, shall by a common accord be appealed to, in order to avoid by this means a definitive rupture.

ARTICLE XXVII. The present treaty shall be in vigor for ten years, to commence six months after the exchange of ratification. If a year before the expiration of this term neither of the contracting parties shall have announced, by an official declaration, its intention of terminating it, the treaty shall still remain in force for a year, and so continue from year to year.

ARTICLE XXVIII. The present treaty shall be ratified and the ratification exchanged at Paris, within the space of a year and a half, or earlier if may be.

In faith whereof, the respective Plenipotentiaries have signed the same, and thereto affixed their seals.

Done in duplicate at Paris, the 22d of July, 1863.

[L. s.]

CONSTANTINO NIGRA.

[L. s.]

JOHN BOWRING.

ADDITION ARTICLE to the *Treaty of Commerce and Navigation, concluded between the Kingdom of Italy and the Hawaiian Islands. at Paris, the 22d day of July, 1863.*

The two high contracting parties agree: That whatever privilege, immunity, favor or diminution of duties on commerce or navigation, which may be granted by either of the two States to any other power, shall immediately, and of full right, be conceded to the other contracting party, without any compensation.

The two high contracting parties further agree to conform to the principles adopted by the Congress of Paris, as announced in the Declaration of the 16th of April, 1856, with reference to privateering and to neutral rights of blockade, as follows:

1. Privateering is and remains abolished.
2. The neutral flag shall cover the goods of the enemy, with the exception of contraband of war.

3. Neutral merchandise, with the exception of contraband of war, shall not be sequestered under an enemy's flag.

4. Blockades, in order to be recognized, must be effective, i. e., they shall be maintained by a force really sufficient to prevent access to the littoral of the enemy.

The present additional article is considered as an integral part of the Treaty of Commerce and Navigation, concluded between the Kingdom of Italy and the Hawaiian Kingdom, at Paris, the 22d July, 1865.

It shall have the same force and duration, and it shall be included in the ratifications of the same Treaty.

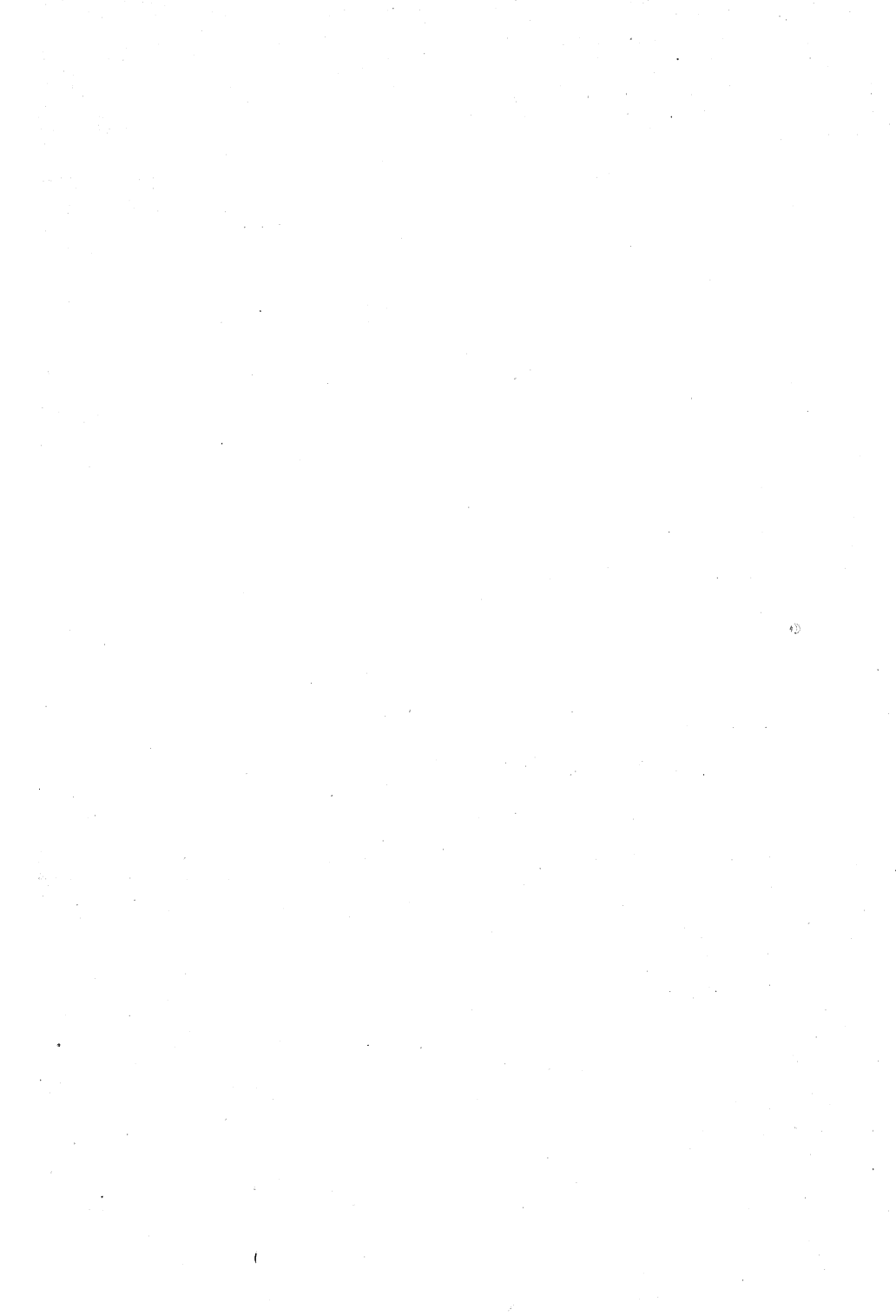
Paris, the 27th of February, 1869.

[L. s.]

[L. s.]

NIGRA.

JOHN BOWRING,



(19) TREATY WITH RUSSIA, 19TH JUNE, 1863.

ON the 19th of June, 1869, a Convention of Commerce and Navigation was duly entered into by His Excellency C. de Varigny, Minister Plenipotentiary, on behalf of His Hawaiian Majesty, and M. le Comte de Stackelberg, Russian Ambassador in Paris, duly authorized to negotiate in the premises; which said Convention has been duly ratified, and the ratifications exchanged, on the 1st of December, 1869, and is, word for word, as follows:

ARTICLE I. There shall be a reciprocal liberty of commerce and navigation between Russia and the Hawaiian Kingdom.

ARTICLE II. The subjects of His Majesty the Emperor of all the Russias, and the subjects of His Majesty the King of the Hawaiian Islands, shall be treated reciprocally on the footing of the most favored nation.

ARTICLE III. It is understood, however, that the preceding stipulations do not interfere in any way with the laws, ordinances, and special regulations in matters of commerce, industry and police, that are in force in each of the countries, and that are applicable to all foreigners.

ARTICLE IV. Each of the two contracting parties shall have the power to constitute Consuls General and Consular Agents, in the cities and ports of the States and possessions of the other, which are opened to foreign commerce. The Consuls General and Consular Agents shall not, however, enter upon their functions, except after having been approved of, and duly admitted by the Government near which they are accredited. They shall exercise their functions, and shall enjoy all the privileges, exemptions and immunities belonging to, or that may be granted to, the Consuls of the most favored nation. In case they should be engaged in trade, they shall not be entitled to the immunities granted to "Consuls Functionnaires."

ARTICLE V. In case a Russian vessel should be wrecked on the coasts of the Hawaiian Kingdom, or an Hawaiian vessel on the coasts of Russia, the local authorities shall give aid and assistance for the salvage of the cargo, and for its restitution to its owners.

ARTICLE VI. The present Convention of Commerce and Navigation shall remain in force during ten years from the date of the signature and Act. It may be renewed at the expiration of the term of ten years.

ARTICLE VII. The stipulations contained in the present Act, drawn in duplicate in the English and in the French languages, shall obtain the confirmation of the respective Governments, and the declarations to that effect, executed in the usual form, shall be exchanged in Paris, within six months, or sooner, if possible.

Paris, 19th June, 1869.

[L. S.]

C. DE VARIGNY.

[L. S.]

CTE. E. DE STACKELBERG.

All persons are hereby notified that the said Convention is to be regarded, in all its provisions, as part of the public law of the Kingdom, and respected accordingly.

[L. S.]

CHAS. C. HARRIS,

Minister for Foreign Affairs.

(20) TREATY WITH SPAIN, OCTOBER 9TH, 1863.

KNOW ALL MEN, that whereas His Majesty the King and Her Majesty the Queen of Spain did on the 9th day of October, in the year of Our Lord Eighteen Hundred and Sixty-three, at London, by their respective Plenipotentiaries, negotiate a Treaty of Peace and Friendship, which said Treaty is word for word, as follows :

Her Majesty the Queen of Spain, on the one part, and His Majesty the King of the Hawaiian Islands on the other part, desiring to facilitate the establishment of commercial relations between Spain and the Hawaiian Islands and to favor their development by a Treaty of Amity, Commerce and Navigation suited for securing to the two countries equal and reciprocal advantages, have nominated to this purpose for their Plenipotentiaries, that is to say : Her Majesty the Queen of Spain, Don Juan Tomas Comyn, Knight Grand Cross of the Royal Order of Isabella the Catholic, Knight Commander of the Royal distinguished Order of Charles the Third, Grand Cross of the Order of Phillip the Magnanimous of Hesse, of that of Christ of Portugal, &c., Grand Officer of the Legion of Honor of France, Commander of the Order of Our Lady of Villaviciosa of Portugal and of the Red Eagle of Prussia, &c., Chamberlain of Her Catholic Majesty, late Royal Councillor in extraordinary and Her actual Envoy Extraordinary and Minister Plenipotentiary at the Court of Her Britaunic Majesty; and His Majesty the King of the Hawaiian Islands, Sir John Bowring, Knight Bachelor of Great Britain. Who, having mutually communicated their powers, and found them in good and true form, have agreed on the following Articles:

ARTICLE 1. There shall be perpetual peace and constant friendship between the Kingdom of Spain and that of the Hawaiian Islands, and between the citizens of the two countries, without exception of person or place.

ARTICLE II. There shall be, between Spain and the Hawaiian Islands, reciprocal freedom in commerce and navigation. Spaniards in the Hawaiian Islands, and Hawaiian subjects in Spain, may enter in the same liberty and security with their vessels and cargoes as are enjoyed by the natives of the respective countries, in all places, ports and rivers which are, or shall in future be open to foreign commerce; provided, always, that the police regulations employed for the protection of the citizens of the most favored nations be respected.

ARTICLE III. The citizens of each of the contracting parties may, like the natives in the respective territories, travel or reside, trade wholesale or retail, let or occupy the houses, stores and shops which they may require; they may carry on the transport of merchandise and money, and receive consignments; they may also, when they have resided more than a year in the country, and their goods, chattels or movables which they there possess shall offer a sufficient security, be admitted as sureties in Custom-house transactions. The citizens of both countries shall, on a footing of perfect equality, be free both to purchase and to sell, to establish and to fix the price of goods, merchandise and articles of every kind, whether imported or of home manufacture, whether for home consumption or for exportation. They shall also enjoy liberty to carry on their business themselves, to present to the Custom-house their own declarations; or to have their places supplied by their own attorneys, factors, consignees, agents or interpreters, whether in the purchase or sale of their goods, property or merchandise; whether for the loading or unloading and expedition of their vessels.

They shall also have the right to fulfill all the functions that are confided to them by their own countrymen, by strangers, or by natives, in the position of attorneys, factors, agents, consignees, or interpreters.

For the performance of all these acts, they shall conform to all the laws and regulations of the country, and they shall not be subject, in any case, to any other charges, restrictions, taxes or impositions than those to which the natives are subject; provided, always, that the police regulations employed for the protection of the citizens of the most favored nation be respected. It is also specially provided, that all the advantages of any kind whatever, actually granted by the laws and decrees now in force, or which in future shall be accorded to foreign settlers, shall be guaranteed to Spaniards established, or who establish themselves in whatever position they may deem fit in the Hawaiian territory, and the same shall hold good for Hawaiian subjects in Spain.

ARTICLE IV. The respective citizens of the two countries shall enjoy the most constant and complete protection for their persons and property. Consequently, they shall have free and easy access to the courts of justice in the pursuit and defence of their rights, in every instance and degree of jurisdiction established by the laws. They shall be at liberty, under any circumstances, to employ lawyers, advocates or agents from any class, whom they may see fit to authorize

to act in their name. In fine, they shall in all respects enjoy the same rights and privileges which are granted to natives, and they shall be subject to the same conditions.

ARTICLE V. The Spaniards in the Hawaiian Islands, and the Hawaiians in Spain, shall be exempt from all service, whether in the army or navy, or in the national guard or militia, and they cannot be subject to any other charges, restrictions, taxes or impositions on their property, furniture or movables, than those to which the natives themselves are subject.

ARTICLE VI. The citizens of both countries respectively shall not be subject to any embargo, nor to be detained with their vessels, luggage, cargoes or commercial effects for any military expedition whatever, nor for any public or private service whatever, unless the government or local authority shall have previously agreed with the parties interested, that a just indemnity shall be granted for such service, and for such compensation as might fairly be required for the wrong which (not being purely fortuitous) may have grown out of the service which they have voluntarily undertaken.

ARTICLE VII. Citizens of either of the contracting parties shall, on the respective territories, have the right of possessing property of any sort, and disposing of it on the same conditions as native subjects.

Spaniards shall enjoy in all the Hawaiian territories the right of collecting and transmitting successions *ab intestato* or testamentary as Hawaiians, according to the laws of the country without being subjected as strangers to any burthens or imposts which are not paid by the natives.

Reciprocally Hawaiian subjects shall enjoy in Spain the right of collecting and transmitting succession *ab intestato* or testamentary, on the same conditions as Spaniards, according to the laws of the country, and without being subject as strangers to any charge or impost not paid by the natives.

The same reciprocity between the citizens of the two countries shall exist for donations *inter vivos*. On the exportation of property collected or acquired under any head by Spaniards in the Hawaiian Islands, or by Hawaiians in Spain, there shall be no duty on removal or immigration, nor any duty whatever to which natives are not subjected.

ARTICLE VIII. All Spanish or Hawaiian vessels, sailing under their respective colors, and which shall be bearers of the ship's papers and documents required by the laws of the respective countries shall be considered as national vessels.

ARTICLE IX. Spanish vessels which shall arrive either in ballast or laden in Hawaiian ports, or which shall leave the same, and reciprocally, Hawaiian vessels which, either in ballast or laden, enter or leave the ports of Spain, whether by sea, river or canals, whatever be the place of their departure or that of their destination, shall not be subject either at entry or departure, to duties on tonnage, port or transit, pilotages, anchorage, shifting, light-houses, sluices, canals, quarantines, salvage, bonding-warehouses, patents, brokerage, navigation, passage, or to any duties or charges whatever, levied on the hulks of vessels received or established for the benefit of the government, public functionaries, communes or establishments of any sort other than those which are now or may hereafter be levied on national vessels.

ARTICLE X. In all that regards the stationing, the loading and unloading of vessels in the ports, roadsteads, harbors and docks, and generally for all the formalities and arrangements whatever to which vessels employed in commerce, with their freights and loading may be subject, it is agreed that no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country, the intention of the high contracting parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE XI. Vessels of the subjects of the contracting parties, compelled to seek shelter in the ports of the other, shall pay neither on the vessels nor the cargo more duties than those levied on national vessels in the same situation; provided, that the necessity of such shelter seeking be legally shown; that the vessels shall carry on no commercial speculations, and that they tarry no longer in the afore-said ports than is required by the motives which impelled them to seek such shelter.

ARTICLE XII. Spanish ships of war, and whaling ships, shall have free access to all the Hawaiian ports; they may there anchor, be repaired and victual their crews; they may proceed from one harbor to another of the Hawaiian Islands for fresh provisions.

At all the ports which are or may be hereafter opened to foreign vessels, Spanish ships of war and whalers shall be subject to the same rules which are or may be imposed, and shall enjoy in all respects the same rights, privileges and immunities which are or may be granted to Hawaiian ships and whalers, or to those of the most favored nation.

ARTICLE XIII. Articles of all sorts imported into the ports of either of the contracting States, under the flag of the other, whatever be their origin, and from whatever country imported, shall pay neither, other nor heavier duties of entry, and shall not be subjected to any other charges than those imposed on vessels under the flag of the most favored nation.

ARTICLE XIV. Spanish ships in the Hawaiian Islands, and Hawaiian ships in Spain, may discharge a portion of their cargo in the port of their first arrival, and proceed with the rest of their cargo to other ports of the same country, which may be open to foreign trade, whether to complete their unloading or to provide their return cargo, and shall pay in neither port other or heavier duties than those levied on national vessels in similar circumstances.

As regards the coasting trade, the vessels of each country shall be mutually treated on the same footing as the most favored nation.

ARTICLE XV. During the period allowed by laws of the two countries for the warehousing of goods, no other duties than those for custody and storage shall be levied upon articles imported from one of the two countries into the other, until they shall be removed for transit, re-exportation or internal consumption.

In no case shall such articles pay higher duties or be liable to other formalities than if they had been imported under the national flag, or from the most favored country.

ARTICLE XVI. Merchandise shipped on board Spanish or Hawaiian ships, or belonging to their respective citizens, may be transhipped in the ports of the two countries to a vessel bound for a national or foreign port, according to the custom house regulations of the two countries, and the goods so transhipped for other ports shall be exempt from all duties of customs or warehouses.

ARTICLE XVII. Articles of all sorts proceeding from Spain, or shipped for Spain, shall enjoy in their passage through the territory of the Hawaiian Islands, whether in direct transit or for re-exportation, all the advantages possessed under the same circumstances by the most favored nation.

Reciprocally, the articles of every sort proceeding from the Hawaiian Islands or sent for that country, shall enjoy in their passage through Spain, the same advantages as are possessed by the most favored nation.

ARTICLE XVIII. Neither one nor the other of the contracting parties will impose upon the goods proceeding from the soil, the manufactures or the warehouses of the other different or greater duties on importation or re-exportation, than those which shall be imposed on the same merchandise coming from any other foreign country.

Nor shall there be imposed on the goods exported from one country to the other, different or higher duties than if they were exported to any other foreign country.

No restriction or prohibition of importation or exportation shall take place in the reciprocal commerce of the contracting parties which shall not be equally extended to all other nations.

ARTICLE XIX. Consuls-General, Consuls, Vice-Consuls and Consular Agents may be established by each country in the other for the protection of commerce, such agents shall not enter upon their functions or enjoyment of the rights, privileges and immunities which belong to them until they have obtained the authorization of the territorial government, which shall, besides, preserve the right of determining the place of residence where Consuls may be established; it being understood that neither Government will impose any restriction which is not common in the country to all nations.

ARTICLE XX. The Consuls General, Consuls, Vice-Consuls and Consular Agents of Spain, in the Hawaiian Islands, shall enjoy all the rights, privileges, immunities and exemptions enjoyed by the agents of the most favored nation in the same circumstances.

And the same shall be the position in Spain, of the Hawaiian Consuls-General, Consuls, Vice-Consuls and Consular Agents.

ARTICLE XXI. The desertion of seamen embarked in the vessels of either of the contracting parties shall be severely dealt with in their respective territories. In consequence the Spanish consuls shall have the power to cause to be arrested and sent on board, or to Spain, seamen who may have deserted Spanish vessels in the Hawaiian ports. But for this purpose they must apply to the competent local authorities, and justify, by the exhibition of the original or the duly certified copy of the ship's register, the roll or other official documents to prove that the persons named formed part of the ship's crew. On this application, so supported, the delivery of the seamen shall not be refused.

All aid and assistance shall be given for the discovery and arrest of such deserters, who shall be detained in the prisons of the country, on the requirement and at the expense of the consuls, until they shall find an opportunity of sending them away. If, however, no opportunity shall offer in the course of two months, counting from the day of arrest, the deserters may be set at liberty.

It is understood that seamen who are native Hawaiians shall be excepted from this arrangement, and be treated according to the laws of their own country.

If the deserter has committed any crime in the Hawaiian territory, his release shall not take place till the competent tribunal shall have given judgment, and this judgment been carried into execution.

Hawaiian consuls shall possess exactly the same rights in Spain, and it is formally agreed between the two contracting parties, that every other favor or facility granted or to be granted by either to any other power for the arrest of deserters shall be also granted to the present contracting parties as fully as if they had formed part of the present treaty.

ARTICLE XXII. All operations connected with the salvage of stranded or wrecked Spanish vessels on the Hawaiian coasts shall be superintended by the Consular Agent of Spain, and reciprocally the Consular Hawaiian Agents shall superintend the operations connected with the salvage of Hawaiian vessels stranded or wrecked on the Spanish coasts.

But if the parties interested find themselves on the spot, or the captain possess adequate powers, the administration of the wreck shall be committed to them.

The intervention of the local authorities shall only be applied to the maintenance of order, to guarantee the rights of the salvors if they do not belong to the ship-wrecked crew, and to insure the execution of the measures to be taken for the entry and departure of the saved goods. In the absence and until the arrival of the Consular Agents, the local authorities will take the needful steps for the protection of persons and property wrecked.

The goods saved shall never be subjected to customs or other duty, unless they are disposed of for home consumption.

ARTICLE XXIII. The ships, merchandise and effects belonging to the respective citizens which may have been taken by pirates or conveyed to or found in the ports of either of the

contracting parties, shall be delivered to their owners on payment of the expenses should there be such, the amount to be determined by the competent tribunals when the right of the proprietor shall be proved before these tribunals, and the claim being made within the space of eighteen months by the interested parties, by their attorneys, or by the agents of their respective Governments.

ARTICLE XXIV. If, from a concurrence of unfortunate circumstances, differences between the contracting parties should cause an interruption of the relations of friendship between them, and that after having exhausted the means of an amicable and conciliatory discussion, the object of their mutual desire should not have been completely attained, the arbitration of a third power, equally the friend of both, shall by a common accord be appealed to, in order to avoid by this means a definitive rupture.

ARTICLE XXV. Hawaiian subjects shall enjoy, in the Ultra-marine possessions of Spain, the advantages which are conceded to the subjects of the most favored nation, and in the same possessions, the stipulations of this treaty shall have effect when not openly opposed to the special legislation there existing.

ARTICLE XXVI. All vessels bearing the flag of Spain, shall, in time of war, receive every possible protection, short of active hostility, within the ports and waters of the Hawaiian Islands, and Her Majesty the Queen of Spain engages to respect, in time of war the neutrality of the Hawaiian Islands, and to use her good offices with all the other powers having treaties with the same, to induce them to adopt the same policy toward the said Islands.

ARTICLE XXVII. The present treaty shall be in vigor for ten years, to commence six months after the exchange of ratification. If a year before the expiration of this term neither of the contracting parties shall have announced, by an official declaration, its intention of terminating it, the treaty shall still remain in force for a year, and so continue from year to year.

ARTICLE XXVIII. The present treaty shall be ratified and the ratification exchanged at London, within the space of eighteen months, or earlier if may be.

In faith whereof, the respective Plenipotentiaries have signed the same, and thereto affixed their seals.

Done in duplicate at London, this twenty-ninth day of October, in the year of Our Lord One Thousand Eight Hundred and Sixty-three.

[L. s.]

JUAN T. COMYN.

[L. s.]

JOHN BOWRING.

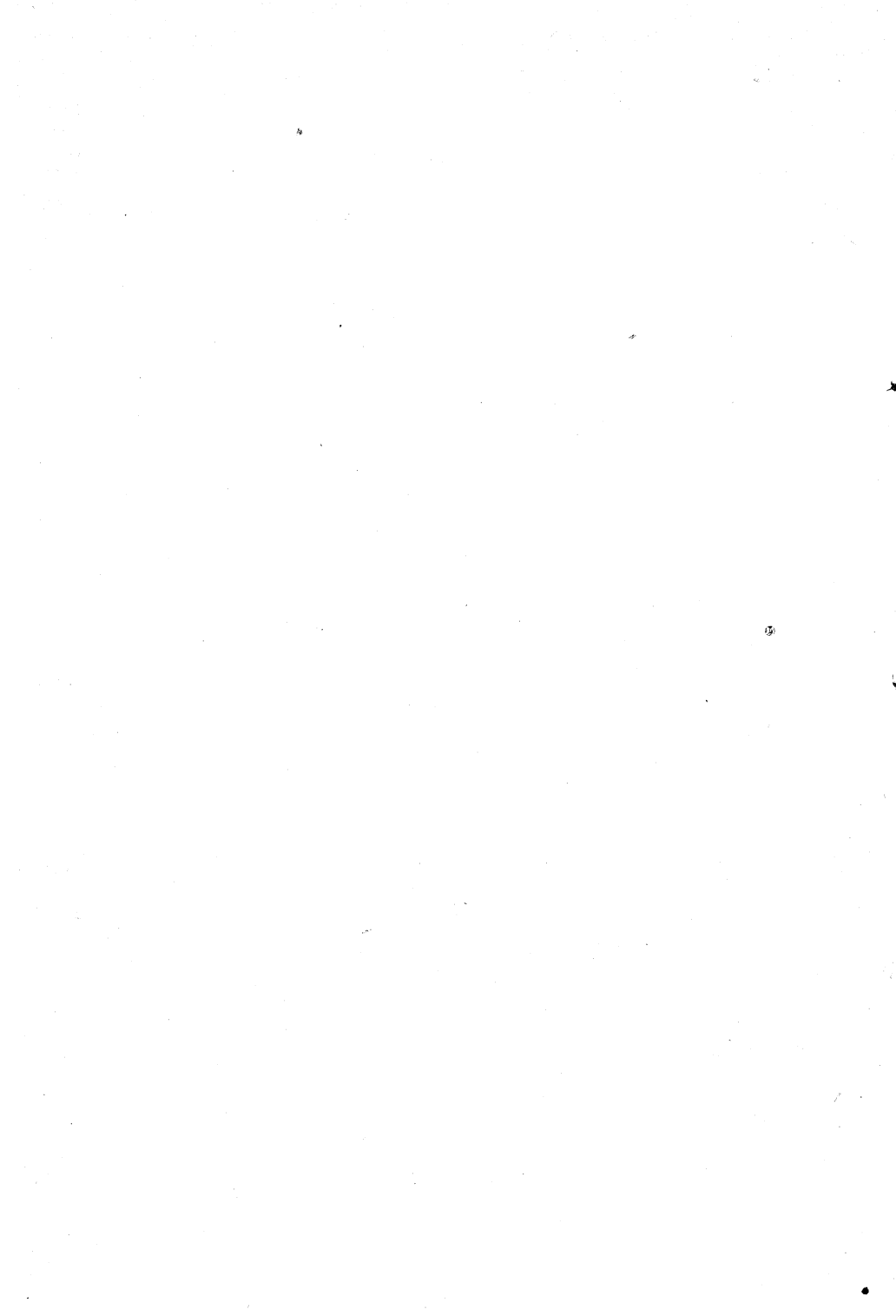
AND, WHEREAS, The said Treaty has been now duly ratified by His Majesty the King, and His Highness the Regent of Spain, and ratifications exchanged, the said Treaty has become a part of the law of this Kingdom, and all the provisions thereof are to be observed.

[L. s.]

CHAS. C. HARRIS,

Minister for Foreign Affairs.

Foreign Office, Sept. 2, 1870.



(21) POSTAL CONVENTION

BETWEEN THE UNITED STATES OF AMERICA AND THE
HAWAIIAN KINGDOM.

THE undersigned being thereunto duly authorized by their respective Governments, have agreed upon the following articles, establishing and regulating the exchange of correspondence between the United States of America and the Hawaiian Kingdom:

ARTICLE I. There shall be an exchange of correspondence between the United States of America and the Hawaiian Kingdom, by means of the subsidized line of the United States mail steamers plying between San Francisco and Honolulu, as well as by occasional steamers, and by sailing vessels running between Honolulu and the ports of San Francisco, California, Portland, Oregon, or ports in Puget Sound, Teekalet, Olympia, and Port Townsend, comprising letters, newspapers, and printed matter of every kind, originating in either country, and addressed to and deliverable in the other country.

ARTICLE II. San Francisco, New York, Boston, Portland, Oregon, Teekalet, Olympia and Port Townsend shall be the United States offices of exchange, and Honolulu and Hilo the Hawaiian offices of exchange, for all mails transmitted between the two countries under this arrangement.

ARTICLE III. The United States office shall defray the expenses of the sea conveyance of all mails transmitted in both directions by means of its subsidized line of mail steamships, so long as said line is maintained by the government of the United States; and the Hawaiian office shall defray the expenses of the sea conveyance of all mails transmitted, in both directions, by means of occasional steamships or by sailing vessels.

ARTICLE IV. No accounts shall be kept between the post office departments of the two countries upon the correspondence exchanged between them, but each country shall retain to its own use the postages which it collects.

The single rate of international letter postage shall be six cents on each letter weighing half an ounce or less, and an additional rate of six cents for each additional weight of half an ounce or fraction thereof, which shall in all cases be fully prepaid by means of postage stamps, at the office of mailing in either country. If not fully prepaid, they shall not be forwarded. Letters received in either country from the other shall be delivered free of all charge whatsoever.

The United States office shall levy and collect on newspapers, (whether transient or sent to regular subscribers,) addressed to or received from the Hawaiian Kingdom, the established rates of the United States domestic postage; and upon all articles of printed matter, except newspapers, addressed to or received from the Hawaiian Kingdom, a postage charge of four cents per each weight of four ounces or fraction of four ounces.

The Hawaiian post office shall levy and collect on newspapers and other articles of printed matter, addressed to or received from the United States, the regular rates of postage chargeable thereon by the laws or regulations of the Hawaiian Kingdom.

ARTICLE V. Letters mailed in the Hawaiian Kingdom and addressed to countries beyond the United States, with which the United States have direct postal relations, may be forwarded through the United States to their respective destinations, subject to the same additional postage charges as are paid by the inhabitants of the United States to such countries, which, in all cases where prepayment is obligatory in the United States, may be paid by the senders in the Hawaiian Islands, by affixing uncanceled United States postage stamps of sufficient value to effect such prepayment.

On the other hand, prepaid letters from foreign countries, received in and forwarded from the United States to the Hawaiian Kingdom, shall be delivered in said Kingdom free of all charges whatsoever; and letters received in the Hawaiian Kingdom from the United States, addressed to Micronesia or neighboring Islands, will be forwarded to destination, subject to the same conditions as are applicable to correspondence originating in the Hawaiian Kingdom and addressed to those Islands.

ARTICLE VI. Every letter dispatched from one country to the other shall be plainly stamped with the words "paid all," in red ink, on the right-hand upper corner of the address, in addition to the date stamp of the office at which it was posted.

ARTICLE VII. Dead letters, newspapers, &c., which cannot be delivered, from whatever cause, shall be mutually returned, without charge, monthly, or as frequently as the regulations of the respective offices will permit.

ARTICLE VIII. The two offices may, by mutual consent, make such detailed regulations as shall be found necessary to carry out the objects of this agreement, such regulations to terminate at any time on reasonable notice by either office.

ARTICLE IX. This convention shall come into operation on the 1st day of July, 1870, and shall be terminable at any time on a notice by either office of six months.

Done in duplicate and signed in Washington on the 4th day of May, 1870.

[Seal.]

JNO. A. J. CRESWELL,
Postmaster General of the United States.

ELISHA H. ALLEN,
His Hawaiian Majesty's Envoy Extraordinary and Minister Plenipotentiary.

I hereby approve the foregoing convention, and in testimony thereof I have caused the seal of the United States to be affixed

[Seal.]

U. S. GRANT.

By the President :

HAMILTON FISH, Secretary of State.

Washington, May 5, 1870.

All persons are hereby notified that the above convention is to be regarded, in all its provisions, as part of the public laws of this Kingdom, and respected accordingly.

[L. s.]

CHAS. C. HARRIS,
Minister for Foreign Affairs.

Foreign Office, June 20th, 1870.



(22) TREATY WITH JAPAN.

WHEREAS, a Treaty of Amity and Commerce between His Majesty the King, and His Imperial Majesty the Tenno of Japan, was concluded at Yeddo, on the 19th day of August, 1871, which has been ratified by His Majesty the King, and His Imperial Majesty, the Tenno of Japan, and the ratifications duly exchanged-- which Treaty is, word for word, as follows :

His Majesty the King of the Hawaiian Islands, and His Imperial Japanese Majesty, the Tenno, being equally animated by the desire to establish relations of friendship between the two countries, have resolved to conclude a Treaty, reciprocally advantageous, and for that purpose have named their Plenipotentiaries, that is to say, His Majesty the King of the Hawaiian Islands, His Excellency C. E. De Long, appointed and commissioned by His Majesty, Envoy Extraordinary and Minister Plenipotentiary of the Kingdom of Hawaii, near the Government of His Majesty, the Tenno of Japan, and His Imperial Japanese Majesty, the Tenno, His Excellency Sawa Iusanme Kiyowara Noluyoshe, Minister for Foreign Affairs, and His Excellency Terachima Jusee Fugiwara Munemori, First Assistant Minister for Foreign Affairs, who having communicated to each other their respective full powers, which are found in good order, and in proper form, have agreed upon the following Articles :

ARTICLE I. There shall be perpetual peace and friendship between His Majesty the King of the Hawaiian Islands, and His Imperial Japanese Majesty, the Tenno, their heirs and successors, and between their respective subjects.

ARTICLE II. The subjects of each of the two high contracting parties, respectively, shall have the liberty freely and securely to come with their ships and cargoes to all places, ports and rivers in the territories of the other, where trade with other nations is permitted; they may remain and reside in any such ports, and places respectively, and hire and occupy houses and warehouses, and may trade in all kinds of produce, manufactures and merchandise of lawful commerce, enjoying at all times the same privileges as may have been, or may hereafter be granted to the citizens or subjects of any other nation, paying at all times such duties and taxes as may be exacted from the citizens or subjects of other nations doing business or residing within the territories of each of the high contracting parties.

ARTICLE III. Each of the high contracting parties shall have the right to appoint, if it shall seem good to them, a Diplomatic Agent, who shall reside at the seat of the Government of the respective countries, and Consuls and Consular Agents, who shall reside in the ports or places within the territories of the other where trade with other nations is permitted. The Diplomatic Agents and Consuls of each of the high contracting parties shall exercise all the authority and jurisdiction, and shall enjoy within the territories of the other all the rights and privileges, exemptions and immunities which now appertain, or may hereafter appertain to Agents of the same rank of the most favored nations.

ARTICLE IV. It is hereby stipulated that the Hawaiian Government and its subjects, upon like terms and conditions, will be allowed free and equal participation in all privileges, immunities and advantages that may have been or may hereafter be granted by His Majesty the Tenno of Japan, to the Government, citizens or subjects of any other nation.

ARTICLE V. The Japanese Government will place no restrictions whatever upon the employment by Hawaiian³ subjects of Japanese in any lawful capacity.

Japanese in the employ of foreigners may obtain Government passports to go abroad, on application to the Governor of any open port.

ARTICLE VI. It is hereby agreed that such revision of this Treaty, on giving six months previous notice to either of the high contracting parties, may be made by mutual agreement, as experience shall prove necessary.

ARTICLE VII. The present Treaty shall be ratified by His Majesty the King of the Hawaiian Islands, and by His Imperial Majesty the Tenno, and the ratifications exchanged at Yedo, the same day as the date of this Treaty, and shall go into effect immediately after the date of such exchange of ratifications.

In token whereof, the respective Plenipotentiaries have signed this Treaty.

Done at the City of Yedo, this 19th day of August, A. D. One Thousand Eight Hundred and Seventy-one, corresponding in Japanese date to the fourth day of the 7th month of the 4th year of Meiji.

(Signed,)

C. E. DE LONG. [Seal.]
 SAWA IUSANME KIYOWARA NOLUYOSHE. [Seal.]
 TERACHIMA JUSEE FUGIWARA MUNEMORI. [Seal.]

Now, all persons are hereby notified, that the said Treaty is a part of the Law of this Kingdom, and is to be regarded as such.

[L. s.]

CHAS. C. HARRIS,
Minister for Foreign Affairs.

Foreign Office, September 27th, 1871.



(23) POSTAL CONVENTION

BETWEEN THE COLONIAL GOVERNMENT OF NEW SOUTH WALES AND THE HAWAIIAN KINGDOM.

THE UNDERSIGNED being thereunto duly authorized by their respective Governments, have agreed upon the following articles, establishing and regulating the exchange of correspondence between the Colony of New South Wales and the Hawaiian Kingdom.

ARTICLE I. There shall be an exchange of correspondence between New South Wales and the Hawaiian Kingdom, by means of the direct line of Colonial mail packets plying between San Francisco and Sydney, as well as by such other means of direct mail steamship transportation as shall hereafter be established with the approval of the respective Post Departments of the two countries, comprising letters, newspapers, printed matter of every kind, and patterns and samples of merchandise, originating in either country, and addressed to, and deliverable in, the other country, as well as correspondence in closed mails, originating in either country and destined for foreign countries; by way of New South Wales or the Hawaiian Islands, as the case may be.

ARTICLE II. The Post Office of Sydney shall be the New South Wales office of exchange, and Honolulu the Hawaiian office of exchange for all mails transmitted under this arrangement.

ARTICLE III. No accounts shall be kept between the Post Departments of the two countries upon the international correspondence, written or printed, or upon patterns and samples of merchandise exchanged between them; but each country shall retain, to its own use, the postages which it collects.

The single rate of international letter postage shall be six pence in New South Wales, and twelve and a half cents in the Hawaiian Kingdom, on each letter weighing half an ounce or less, and an additional rate of six pence ($12\frac{1}{2}$ cents) for each single weight of half an ounce, or fraction thereof, which shall in all cases, be prepaid, at least one single rate, by means of postage stamps, at the office of mailing in either country. Letters unpaid, or prepaid less than one full rate of postage, shall not be forwarded, but insufficiently paid letters, on which a single rate, or more has been prepaid, shall be forwarded, charged with the deficient postage and with a fine equal to a single rate (six pence), to be collected

and retained by the Post Department of the country of destination. Letters fully prepaid, received in either country from the other, shall be delivered free of all charge whatsoever.

The Hawaiian Post Office shall levy and collect, to its own use, on newspapers addressed to New South Wales, a postage charge of two cents, and on all articles of printed matter, patterns and samples of merchandise addressed to New South Wales a postage charge of four cents, for each weight of four ounces, or fraction of four ounces.

The Post Office of New South Wales shall levy and collect, to its own use, on newspapers and other articles of printed matter, patterns and samples of merchandise, addressed to the Hawaiian Kingdom, the regular rates of domestic postage chargeable thereon by the laws and regulations of the Colony of New South Wales.

Newspapers and all other kinds of printed matter, and patterns and samples of merchandise, are to be subject to the laws and regulations of each country respectively, in regard to their liability to be rated with letter postage, when containing written matter, or any other cause specified in said laws and regulations, as well as in regard to their liability to customs duty under the revenue laws.

ARTICLE IV. Letters, newspapers and other articles of printed matter and patterns and samples of merchandise, received in New South Wales from the Hawaiian Post Office, addressed to the Colonies of Australia, will be forwarded to destination, subject to the same rates of postage as are chargeable upon correspondence addressed to the Colony of New South Wales itself, and correspondence for such other Colonies of Australia, will be transmitted from New South Wales to such other Australian Colonies, under arrangement between the Governments of such other Australian Colonies and the Government of New South Wales.

ARTICLE V. The two Post Departments may, by mutual agreement, provide for the transmission of registered articles, in the mails between the two countries.

The register fee for each article shall be four pence in New South Wales and fifteen cents in the Hawaiian Kingdom.

ARTICLE VI. The two Post Departments shall settle, by agreement between them, all measures of detail and arrangement required to carry this Convention into execution, and may modify the same in like manner, from time to time, as the exigencies of the service may require.

ARTICLE VII. Every fully prepaid letter dispatched from one country to the other shall be plainly stamped with the words "paid all," in red ink, on the right hand upper corner of the address, in addition to the date stamp of the office at which it was posted; and, on insufficiently paid letters, the amount of the deficient postage and fine shall be inscribed in black ink.

ARTICLE VIII. Dead letters which cannot be delivered from whatever cause, shall be mutually returned, without charge, monthly, or as frequently as the regulations of the respective offices will permit.

ARTICLE IX. This Convention shall come into operation on the first day of July, 1874, and shall be terminable at any time, on a notice by either office of six months.

Done in duplicate and signed at Honolulu, the 10th day of March, in the year of Our Lord one thousand eight hundred and seventy-four.

[L. S.]

HERMANN A. WIDEMANN,

His Hawaiian Majesty's Minister
of the Interior, and Special
Commissioner.

Done in duplicate and signed at Sydney, the thirtieth day of April, in the year of Our Lord one thousand eight hundred and seventy-four.

[L. S.]

SAUL SAMUEL,

Postmaster-General of the Colony
of New South Wales.



(24) TREATY OF RECIPROCITY

BETWEEN THE UNITED STATES OF AMERICA AND THE
HAWAIIAN KINGDOM.

 PROCLAMATION.

WHEREAS, by the advice and approval of the Legislature of Our Kingdom, We did enter into a Convention with the United States of America on the subject of Commercial Reciprocity, which said Convention was concluded and signed by our Plenipotentiaries and the Plenipotentiary of the United States of America, at the City of Washington, on the 30th day of January, 1875, and as Amended by the Contracting Parties is word for word as follows:

THE United States of America and His Majesty the King of the Hawaiian Islands, equally animated by the desire to strengthen and perpetuate the friendly relations which have heretofore uniformly existed between them, and to consolidate their commercial intercourse, have resolved to enter into a Convention for Commercial Reciprocity. For this purpose, the President of the United States has conferred full powers on Hamilton Fish, Secretary of State, and His Majesty the King of the Hawaiian Islands has conferred like powers on Honorable Elisha H. Allen, Chief Justice of the Supreme Court, Chancellor of the Kingdom, Member of the Privy Council of State, His Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States of America, and Honorable Henry A. P. Carter, Member of the Privy Council of State, His Majesty's Special Commissioner to the United States of America. And the said Plenipotentiaries, after having exchanged their full powers, which were found to be in due form, have agreed to the following articles:—

ARTICLE I. For and in consideration of rights and privileges granted by His Majesty the King of the Hawaiian Islands in the next succeeding article of this Convention, and as an equivalent therefor, the United States of America hereby agree to admit all the articles named in the following schedule, the same being the growth and manufacture or produce of the Hawaiian Islands, into all the ports of the United States, free of duty.

SCHEDULE.

Arrow-root;
Castor oil;

Bananas;

Nuts;

Vegetables, dried and undried, preserved and unpreserved;

Hides and skins, undressed;

Rice;

Pulu;

Seeds, Plants, Shrubs, or Trees;

Muscovado, brown, and all other unrefined Sugar, meaning hereby the grades of sugar heretofore commonly imported from the Hawaiian Islands, and known in the markets of San Francisco and Portland as "Sandwich Island Sugar;"

Syrups of sugar-cane, Melado, and Molasses;

Tallow;

ARTICLE II. For and in consideration of the rights and privileges granted by the United States of America in the preceding article of this Convention, and as an equivalent therefor, His Majesty the King of the Hawaiian Islands hereby agrees to admit all the articles named in the following schedule, the same being the growth, manufacture, or produce of the United States of America, into all the ports of the Hawaiian Islands free of duty.

SCHEDULE.

Agricultural Implements;

Animals;

Beef, Bacon, Pork, Ham, and all fresh, smoked, or preserved meats;

Boots and shoes;

Grain, Flour, Meal, and Bran, bread and breadstuffs, of all kinds;

Bricks, Lime, and Cement;

Butter, Cheese, Lard, Tallow;

Bullion;

Coal;

Cordage, naval stores, including Tar, Pitch, Resin, Turpentine, raw and rectified;

Copper and Composition Sheathing, Nails and Bolts;

Cotton and Manufactures of Cotton, bleached and unbleached, and whether or not colored, stained, painted or printed;

Eggs;

Fish and Oysters, and all other creatures living in the water, and the products thereof;

Fruits, Nuts and Vegetables, green, dried or undried, preserved or unpreserved;

Hardware;

Hides, Furs, Skins, and Pelts, dressed or undressed;

Hoop Iron and Rivets, Nails, Spikes and Bolts, Tacks, Brads or Sprigs;

Ice;

Iron and Steel, and manufactures thereof;

Leather;

Lumber and Timber of all kinds, round, hewed, sawed and unmanufactured, in whole or in part;

Doors, Sashes and Blinds;

Machinery of all kinds, Engines and parts thereof;

Oats and Hay;

Paper, Stationery and Books, and all manufactures of paper or of paper and wood;

Petroleum and all Oils for lubricating or illuminating purposes;

Plants, Shrubs, Trees and Seeds;

Rice;

Sugar, refined or unrefined;

Salt;

Soap;

Shooks, Staves and Headings;

Wool and Manufactures of Wool, other than ready-made clothing;

Wagons and Carts for the purposes of agricultural or of drayage;

Wood and Manufactures of Wood, or of wood and metal, except furniture, either upholstered or carved, and carriages;

Textile Manufactures, made of a combination of wool, cotton, silk or linen, or of any two or more of them other than when ready-made clothing;

Harness, and all Manufactures of Leather;

Starch; and

Tobacco, whether in leaf or manufactured.

ARTICLE III. The evidence that articles proposed to be admitted into the ports of the United States of America, or the ports of the Hawaiian Islands, free of duty, under the first and second articles of this Convention, are the growth, manufacture, or produce of the United States of America or of the Hawaiian Islands respectively, shall be established under such rules and regulations and conditions for the protection of the revenue, as the two Governments may, from time to time, respectively prescribe.

ARTICLE IV. No export duty or charges shall be imposed in the Hawaiian Islands, or in the United States, upon any of the articles proposed to be admitted into the ports of the United States, or the ports of the Hawaiian Islands, free of duty, under the first and second articles of this Convention. It is agreed, on the part of His Hawaiian Majesty, that, so long as this Treaty shall remain in force, He will not lease or otherwise dispose of, or create any lien upon any port, harbor, or other territory in His dominions, or grant any special privilege or rights of use therein, to any other power, state or government, nor make any treaty by which any other nation shall obtain the same privileges, relative to the admission of any articles free of duty, hereby secured to the United States.

ARTICLE V. The present Convention shall take effect as soon as it shall have been approved and proclaimed by His Majesty the King of the Hawaiian Islands, and shall have been ratified and duly proclaimed on the part of the Government of the United States, but not until a law to carry it into operation shall have been passed by the Congress of the United States of America. Such assent having been given, and the ratifications of the Convention having been exchanged, as provided in Article VI, the Convention shall remain in force for seven years from the date at which it may come into operation; and further, until the expiration of twelve months after either of the contracting parties shall give notice to the other of its wish to terminate the same; each of the high contracting parties being at liberty to give such notice to the other at the end of the said term of seven years, or at any time thereafter.

ARTICLE VI. The present Convention shall be duly ratified, and the ratifications exchanged at Washington City, within eighteen months from the date thereof, or earlier if possible.

In faith whereof the respective Plenipotentiaries of the high contracting parties have signed this present Convention, and have affixed thereto their respective seals.

Done in duplicate, at Washington, the thirtieth day of January, in the year of our Lord one thousand eight hundred and seventy-five.

[SEAL.]
[SEAL.]
[SEAL.]

HAMILTON FISH.
ELISHA H. ALLEN.
HENRY A. P. CARTER.

AND, WHEREAS, the said Convention, as Amended, was ratified by Ourselves on the 17th of April, 1875, and by His Excellency the President of the United States of America, on 31st of May, 1875, and the said ratifications were exchanged at the City of Washington, June 3rd, 1875.

Now, therefore, We do proclaim and make public the same to the end that it and every Clause and Article thereof may be observed and fulfilled with good faith by every person within Our Kingdom. And the said Convention shall go into effect as soon as intelligence is received that the Government of the United States has made the necessary provisions for carrying it into operation.

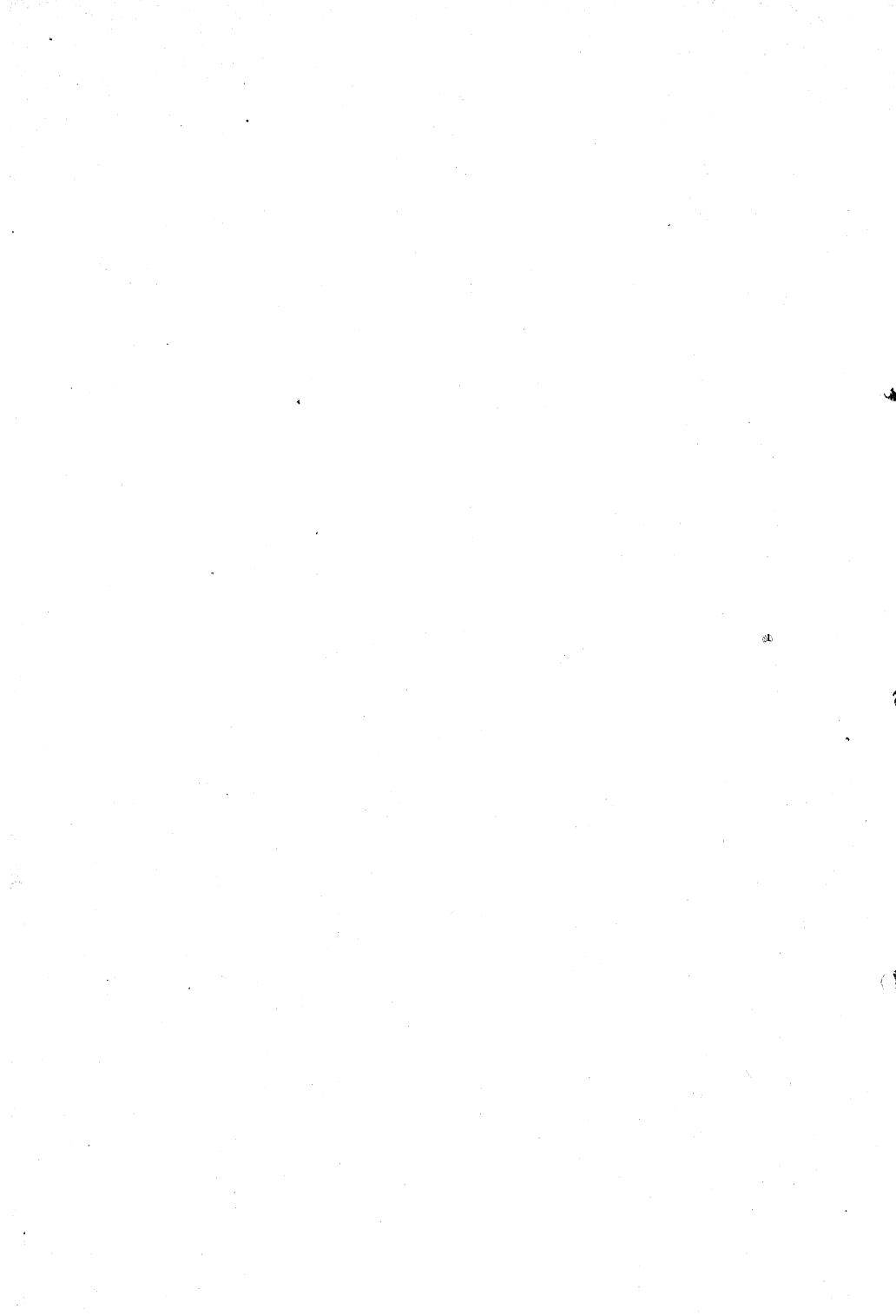
[L. s.] In witness whereof, we have hereunto set Our hand and caused the Seal of Our Kingdom to be affixed this 17th day of June, A. D. 1876.

KALAKAUA, R.

By the King:

W. L. GREEN,

Minister of Foreign Affairs.



(25) TREATY OF FRIENDSHIP, COMMERCE
AND NAVIGATION AND CONSULAR CONVENTION,

BETWEEN THE GERMAN EMPIRE AND THE KINGDOM
OF THE HAWAIIAN ISLANDS.

His Majesty the German Emperor, King of Prussia, in the name of the German Empire on the one part, and His Majesty the King of the Hawaiian Islands on the other part, being desirous to maintain and improve the relations of good understanding which happily subsist between Germany and the Hawaiian Islands, to promote the development of commerce and navigation between the two countries and to define the rights, privileges, immunities and duties of the respective Consular officers, have deemed it expedient to conclude a Treaty of Friendship, Commerce and Navigation and a Consular Convention, and have for that purpose appointed their respective Plenipotentiaries, namely:

His Majesty the German Emperor, King of Prussia: His Superior Privy Councillor of Government Dr. Johannes Rosing and His Privy Councillor of Legation, Hermann Adolph Heinrich Albrecht von Kusserow and His Majesty the King of the Hawaiian Islands: His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the German Emperor Henry A. P. Carter; who after having communicated to each other their respective full powers, found to be in good and due form, have agreed to and signed the following articles:

ARTICLE I. There shall be perpetual friendship and peace between the German Empire and the Kingdom of the Hawaiian Islands and between the subjects and citizens of the two countries.

ARTICLE II. The subjects and citizens of the two High Contracting Parties may remain and reside in any part of said territories respectively and shall receive and enjoy full and perfect protection for their persons and property. They shall have free and easy access to the courts of justice, provided by law, in pursuit and defence of their rights, and they shall be at liberty to choose and employ lawyers, advocates or agents to pursue or defend their rights before such courts of justice; and they shall enjoy in this respect all the rights and privileges as native subjects or citizens.

In whatever relates to rights of residence, to the possession of real estate, goods and effects of any kind, to the suc-

cession to real or personal estate, by will or otherwise, and the disposal of property of any sort and in any manner whatsoever, the subjects and citizens of each Contracting Party shall enjoy the territories of the other the same privileges, liberties and rights and shall be subject only to the same imposts or charges in these respects as native subjects and citizens.

In regard to marriages concluded by subjects and citizens of the German Empire in the Kingdom of the Hawaiian Islands and by Hawaiian subjects and citizens in the German Empire, the form of marriage shall be regulated by the laws of the country where the marriage is concluded.

The subjects or citizens of each of the High Contracting Parties shall enjoy in the dominions of the other entire liberty of conscience and of private or public exercise of their worship and all the guarantees, rights and protection now ensured, or that may be hereafter ensured to native subjects and citizens, or to the subjects and citizens of any other nation. This liberty and protection shall extend also to the right of burying their respective countrymen according to their religious customs in suitable and convenient places, which they may establish and maintain for that purpose, subject always to the local laws and regulations.

The subjects and citizens of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever, whether by sea or land, and from all forced loans or military exactions or requisitions, and they shall not be compelled under any pretext whatsoever to pay any ordinary charges, requisitions or taxes, other or higher than those that are or may be paid by native subjects or citizens.

They shall not be subject to any embargo, nor be detained with their vessels, crews, cargoes or commercial effects, to be used for any military expedition whatever, or for any public or private service whatever, unless the Government or local authority shall have previously agreed with the parties interested on the indemnity to be granted for such service and for such compensation, as may fairly be required for the injury, which (not being purely fortuitous) may grow out of the service, which they have voluntarily undertaken.

ARTICLE III. There shall be between the dominions of the High Contracting Parties a reciprocal freedom of Commerce and Navigation.

The subjects and citizens of the two Contracting Parties

shall have liberty to travel in any part of said territories respectively and hire and occupy houses and warehouses; and they may trade, by wholesale or retail, in all kinds of produce, manufactures and merchandise of lawful commerce without being restrained or prejudiced by any monopoly, contract or exclusive privilege of sale or purchase whatever, subject only to the laws, police and customs regulations of the country, like native subjects or citizens.

They shall have liberty, freely and securely, to come and go with their ships and cargoes to all places, ports and rivers in the territories of the other, which are or may be opened to foreign commerce, and they shall have liberty, there to discharge under the same conditions as natives or the subjects of any other nation, wholly or in part, the cargoes imported by them from abroad, and to lay in and complete, wholly or in part, their return cargoes. This liberty, however, shall not apply to the coasting trade, which the High Contracting Parties reserve to be regulated by the laws of their respective countries; but it is understood, that the subjects and citizens of the High Contracting Parties shall enjoy also in this respect the rights, which are or may be granted, under such laws, to the subjects and citizens of any other country.

No other or higher duties or charges on account of tonnage, light or harbor dues, pilotage, quarantine, salvage in case of damage or ship wreck, or any other local charges, shall be imposed in any of the ports of the two countries respectively than shall be payable by vessels of the country, to whose dominions such ports belong; and for competing such dues upon tonnage the ships' registers shall be taken as indicating the tonnage expressed therein under the system of admeasurement actually adopted by both countries, save any additions or deductions authorized by the admeasurement laws of the respective countries.

It is agreed that German or Hawaiian ships sailing under the flag of their respective country and provided with the papers and documents required by the laws of their respective country shall, for the purposes of this Treaty, be deemed such vessels as their flag and papers show.

In fact, the two High Contracting Parties agree that any favor, privilege or immunity whatever in matters of trade, commerce or navigation, which either Contracting Party has actually granted, or may hereafter grant to subjects and citizens of their own (without prejudice to the coasting

trade before mentioned or to such other trade, as they may by law exclusively reserve to their respective subjects or citizens), or of any other country, shall be extended to the subjects and citizens of the other party under the conditions and regulations, gratuitously, if such concession shall have been made gratuitously, or (without prejudice to the matter of customs duties treated of in the following articles) in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement if such concession shall have been conditional.

ARTICLE IV. No other or higher duties shall be imposed on the importation into the Hawaiian Islands of any article the growth, produce or manufacture of the German Empire, and no other or higher duties shall be imposed on the importation into the German Empire of any article, the growth, produce or manufacture of the Hawaiian Islands, than are or shall be payable on the like article being the growth, produce or manufacture of any foreign country.

ARTICLE V. No prohibition shall be imposed upon the importation of any article, the growth, produce or manufacture of the territories of either of the two Contracting Parties into the territories of the other, which shall not equally extend to the importation of the like article being the growth, produce or manufacture of any other country; without prejudice however to the reciprocal right of temporarily prohibiting from sanitary reasons the importation of certain articles from the territories of the other Contracting Party.

Nor shall any prohibition be imposed upon the exportation of any article from the territories of either of the two Contracting Parties to the territories of the other, which shall not equally extend to the exportation of the like article to the territories of all other nations.

ARTICLE VI. The same duties shall be paid on the importation into the dominions of either of the Contracting Parties of any article, which is, or may be legally imported therein by native or foreign subjects and citizens, whether such importation shall be in German or in Hawaiian vessels. The same duties shall be paid and the same bounties or drawbacks allowed on the exportation of any article from the dominion of either of the Contracting Parties, which is or may be legally exportable therefrom by native or foreign subjects and citizens, whether such exportation shall be in German or in Hawaiian vessels.

Merchandise shipped on board German or Hawaiian ships or belonging to their respective subjects or citizens may be transhipped in the ports of the two countries to a vessel bound to a national port of entry or for any foreign port, subject always to the custom-house regulations of the two countries, and the goods so transhipped for foreign ports shall be exempt from all duties of customs or warehouses.

Articles of all sorts proceeding from or shipped for the two countries respectively shall enjoy in their passage through the territories of the High Contracting Parties, whether in direct transit or for re-exportation, all the advantages possessed under the same circumstances by any other nation.

ARTICLE VII. The vessels of war, vessels belonging to the State, mail packets and whaling vessels of either of the Contracting Parties shall have free access to all ports, rivers or places of the other, which are open to foreign commerce and be at liberty to stay therein, to make repairs and refresh their crews and provisions. They shall be subjected to the same charges, rules, laws and regulations, as are or may be imposed on, and shall enjoy in all respects the same rights, privileges or immunities, which are or may be granted to vessels of the same class of any other nation.

ARTICLE VIII. All vessels bearing the flag of Germany or Hawaii shall in times of war receive every possible protection, short of actual hostility, within the ports and waters of the two countries, and each of the High Contracting Parties engages to respect under all circumstances the neutral rights of the flag and the dominions of the other.

ARTICLE IX. For the better security of commerce between the respective subjects it is agreed that if at any time any interruption of friendly intercourse should unfortunately take place between the two Contracting Parties, the subjects of either of the two Contracting Parties shall be allowed a year to close up their accounts and dispose of their property; and a safe conduct shall be given them to embark at the port, which they may themselves select. All subjects of either of the two Contracting Parties, who may be established in the territories of the other in the exercise of any trade or special employment, shall in such case have the privilege of remaining and continuing such trade and employment therein, without any manner of interruption, in full enjoyment of their liberty and property as long as they behave peaceably and commit no offence against the laws,

and their goods and effects of whatever description they may be, whether in their own custody or intrusted to individuals or to the State, shall not be liable to seizure or sequestration or to any other charge or demand than those, which may be made upon the like effects or property belonging to native subjects. In the same case debts between individuals, public funds and the shares of corporations shall never be confiscated, sequestered or detained.

ARTICLE X. Each of the Contracting Parties agrees to receive from the other Consuls-General, Consuls, Vice-Consuls and Consular Agents in all its ports, cities and places, except in those, where it may not be convenient to recognize such officers. This reservation, however, shall not apply to one of the contracting parties, without also applying to every other Power.

ARTICLE XI. The Consuls-General, Consuls, Vice-Consuls or Consular Agents shall be reciprocally received and recognized on the presentation of their commissions in the forms established in their respective countries. The necessary exequatur for the exercise of their functions shall be furnished to them free of charge, and on the exhibition of this instrument they shall be admitted at once and without difficulty by the territorial authorities, judicial or executive, of the ports, cities and places of their residence and district to the enjoyment of the prerogatives reciprocally granted. The Government that furnishes the exequatur reserves the right to withhold or withdraw the same on a statement of the reasons, for which it has thought proper to do so.

ARTICLE XII. The respective Consuls-General, Consuls, Vice-Consuls or Consular Agent, as well as their Chancellors and Secretaries shall enjoy in the two countries all privileges, exemptions and immunities, which have been granted or in future may be granted to the agents of the same rank of the most favored nation. Consular officers not being citizens of the country where they are accredited shall enjoy in the country of their residence personal immunity from arrest or imprisonment, except in the case of crimes, exemption from military billetings and contributions, from military service of every sort and other public duties, and from all direct or personal or sumptuary taxes, duties or contributions. If, however, the said Consular officers are or become owners of real estate in the country, in which they reside, or engage in commerce, they shall be subject to the same taxes and imposts and to the same jurisdiction as citizens of the country, owners of real estate and merchants. But under no

circumstances shall their official income be subject to any tax. Consular officers, who engage in business or commerce, shall not plead their consular privileges to avoid commercial or other liabilities. Consular officers of either character shall not in any event be interfered with in the exercise of their official functions further than is indispensable for the administration of the laws of the country.

ARTICLE XIII. Consuls-General, Consuls, Vice-Consuls and Consular Agents may place over the outer door of their offices or of their dwellings the arms of their nation with the proper inscription indicative of the office. And they may also hoist the flag of their country on the Consular edifice, except in places, where a Legation of their country is established. They may also hoist their flag on board any vessel employed by them in port exclusively for Consular purposes.

ARTICLE XIV. The Consular archives shall be at all times inviolable, and under no pretence whatever shall the local authorities be allowed to examine or seize the papers forming part of them. When, however, a Consular officer is engaged in other business, the papers relating to the Consulate shall be kept in a separate enclosure, apart from his private papers.

ARTICLE XV. In the event of the death, prevention or absence of Consuls-General, Consuls, Vice-Consuls and Consular Agents, their Chancellors or Secretaries, whose official character may have previously been made known to the respective authorities in Germany or in the Hawaiian Islands, may temporarily exercise their functions, and while thus acting they shall enjoy all the rights, prerogatives and immunities granted by this convention to their incumbents.

ARTICLE XVI. Consuls-General and Consuls may with the approbation of their respective Governments appoint Acting Consuls as their substitutes in case of hinderance or temporary absence, and Consular Agents in the cities, ports and places within their jurisdiction. Such Acting Consuls or Consular Agents shall be furnished with a commission by the Consul, who appoints them, or by his Government. Any substitute thus appointed shall enjoy consular privileges according to Articles XI and XII, while Consular Agents are to be treated as subordinates of the Consul under whose responsibility they act.

ARTICLE XVII. Consuls-General, Consuls, Vice-Consuls and Consular Agents shall have the right to apply to the authorities of the respective countries, judicial or executive,

within the extent of their consular district, for the redress of any infraction of the treaties and conventions existing between the two countries, or of international law; to ask information of said authorities and to address the same to the end of protecting the rights and interests of their countrymen, especially in cases of the absence of the latter or of any legal representative of the same, in which cases such Consuls, etc., shall be presumed to be their legal representatives. If due notice should not be taken of such application the Consular officers aforesaid, in the absence of a Diplomatic Agent of their country, may apply directly to the Government of the country where they reside.

ARTICLE XVIII. Consuls-General, Consuls, Vice-Consuls and Consular Agents of the two countries or their Chancellors, shall have the right conformably to the laws and regulations of the country:

1. To take at their office or dwelling, at the residence of the parties, or on board of vessels of their own nation, the depositions of the captains and crews, of passengers on board, of merchants or any other citizens of their country;

2. To receive and verify unilateral acts, wills and bequests of their countrymen, and any and all acts of agreement entered upon between citizens of their own country, and between such citizens and the citizens or other inhabitants of the country where they reside; and also all contracts between the latter, provided such contracts relate to property situated in, or to business to be transacted in the territory of the nation, which said Consular officers represent. But nothing in this article shall interfere with the regulations of the Hawaiian Islands regarding labor contracts.

All such acts of agreement and other instruments and also copies and translations thereof, when duly authenticated by such Consul-General, Consul, Vice-Consul or Consular Agent under his official seal, shall be received by the public officials and in courts of justice as legal documents or as authenticated copies, as the case may be, and shall have the same force and effect as if drawn up or authenticated by competent officers of one or the other of the two countries.

ARTICLE XIX. In case of the death of any citizen of Germany in the Hawaiian Islands or of any citizen of the Hawaiian Islands in the German Empire, without having in the country of his or her decease any known heirs or testamentary executors by him or her appointed, the competent local authorities shall at once inform the nearest Consular

officer of the nation, to which the deceased belonged, of the circumstances, in order that the necessary information may be immediately forwarded to parties interested.

The said Consular officer shall have the right to appear personally or by delegate in all proceedings on behalf of the absent heirs or creditors until they are duly represented. He may also, when he deems it expedient, personally administer upon the estate of the deceased for the benefit of his or her lawful heirs and creditors in accordance with the laws of the country, where the death has taken place. To that end he shall apply to the competent court for authority, and in the absence of reasonable objection such authority shall be granted. In all successions to inheritances citizens of each of the Contracting Parties shall pay in the country of the other such duties only as they would be liable to pay if they were citizens of the country, in which the property is situated, or the judicial administration of the same may be exercised.

ARTICLE XX. Consuls-General, Consuls, Vice-Consuls and Consular Agents of the two countries are exclusively charged with the inventorying and the safe-keeping of goods and effects of every kind left by the sailors on ships of their nation, who died on board ship or on land, during the voyage, or in the port of destination, or by passengers while attached to the ship.

ARTICLE XXI. Consuls-General, Consuls, Vice-Consuls and Consular Agents shall be at liberty to go either in person or by proxy on board vessels of their nation, admitted to entry, and to examine the officers and crews, to examine the ships' papers, to receive declarations concerning their voyage, their destination and the incidents of the voyage, also to draw up manifests and lists of freight, to facilitate the entry and clearance of their vessels, and finally to accompany the said officers or crews before the judicial or administrative authorities of the country, to assist them as their interpreters or agents. In case of the seizure or detention of any vessel in the ports of either party for violating revenue or other laws, the authorities shall give due notice to the said Consular officers, in order that they may be present at any proceedings with reference to the same, and assist the officers and crew of the ship in courts of law or before any local magistrate. Upon the non-appearance of the said officers or their representative, the case may be proceeded with in their absence.

ARTICLE XXII. Consuls-General, Consuls, Vice-Consuls or Consular Agents shall have exclusive charge of the internal order of the merchant vessels of their nation, and shall have the exclusive power to take cognizance of and to determine differences of every kind, which may arise either at sea or in port between the captain, officers and crew, especially also in reference to wages and the execution of mutual contracts. Neither any court or authority shall on any pretext interfere in these differences, except in cases where the differences on board ship are of a nature to disturb the peace and public order in port or on shore, or when persons other than the officers and crew of the vessel are parties to the disturbance or difference. Except as aforesaid the local authorities shall confine themselves to the rendering of efficient aid to the Consuls when they may ask it, in order to arrest and hold all persons, whose names are borne in the ships' articles and whom they may deem it necessary to detain. Those persons shall be arrested at the sole request of the Consuls, addressed in writing to the local authorities and supported by an official extract from the register of the ship or the list of the crew, and shall be held during the whole time of the stay of the vessel in the port at the disposal of the Consuls. Their release shall be granted only at the request of the Consuls, made in writing. The expenses of the arrest and detention of those persons shall be paid by the Consuls.

ARTICLE XXIII. Consuls-General, Consuls, Vice-Consuls or Consular Agents may arrest the officers, sailors and all other persons making part of the crews of ships of war or merchant-vessels of their nation, who may be guilty or accused of having deserted said ships and vessels, for the purpose of sending them on board or back to their country. To that end the Consuls of Germany in the Hawaiian Islands shall apply to the authorities, and the Consuls of the Hawaiian Islands in Germany shall apply to any of the competent authorities, and make a request in writing to the deserter, supporting it by an official extract of the register of the vessel and the list of the crew, or by other official documents, to show that the men, whom they claim, belong to said crew. Upon such request alone thus supported and without the exaction of any oath from the Consuls the deserters (not being citizens of the country, where the demand is made either at the time of their shipping or of their arrival in port, or accused of, or under conviction for any crime or offence) shall be given up to the Consuls. All aid and pro-

tection shall be furnished them for the pursuit, seizure and arrest of the deserters, who shall be taken to the prisons of the country and there detained at the request and the expense of the Consuls until the said Consuls may find an opportunity of sending them away.

If, however, such opportunity should not present itself within the space of six months, counting from the day of the arrest, the deserters shall be set at liberty and shall not again be arrested for the same cause.

ARTICLE XXIV. In the absence of an agreement to the contrary between the owners, freighters and insurers all damages suffered at sea by the vessels of the two countries, whether they enter port voluntarily or by stress of weather, shall be settled by the Consuls-General, Consuls, Vice-Consuls and Consular Agents of the respective countries. If, however, the said Consul-General, Consul, Vice-Consul or Consular Agent is interested in or agent for said vessel or cargo, or if any inhabitant of the country or citizen or subject of a third power shall be interested in the matter, and the parties cannot agree, the local authorities shall decide.

ARTICLE XXV. In the event of a vessel belonging to the Government or owned by a citizen of one of the two Contracting Parties being wrecked or cast on shore on the coast of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the district of the occurrence, or if there be no such Consular Agency they shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the nearest district. All proceedings relative to the salvage of Hawaiian vessels wrecked or cast on shore in the territorial waters of the German Empire, shall take place in accordance with the laws of Germany; and, reciprocally, all measures of salvages, relative to German vessels wrecked or cast on shore in the territorial waters of the Hawaiian Islands, shall take place in accordance with the laws of the Hawaiian Islands. The Consular authorities have, in both countries, to intervene only to superintend the proceedings having reference to the repair and revictualling, or, if necessary, to the sale of the vessel wrecked or cast on shore, and then only in the absence of parties interested, their factors or agents. For the intervention of the local authorities no charges shall be made, except such as in similar cases are paid by the vessels of the nation.

In case of doubt concerning the nationality of a ship-wrecked vessel, the local authorities shall have exclusively

the direction of the proceedings provided for in this article. All merchandise and goods not destined for consumption in the country where the wreck takes place, shall be free of all duties, but subject to regulations of bonded goods.

ARTICLE XXVI. The present Treaty shall come in force immediately after the exchange of the ratifications. In order that the two Contracting Parties may have an opportunity of hereafter treating and agreeing upon such modifications or other arrangements as may tend to the improvement of their mutual intercourse or to the advancement of the interests of their respective subjects, it is agreed that at any time after the 31st day of July, 1882, either of the Contracting Parties may give to the other notice of its intention to terminate Articles IV, V and VI of the present Treaty or to terminate the Treaty as a whole, and that at the expiration of twelve months after the date of such notice, the said articles (if such notice shall have reference only to said articles) or the present Treaty (if such notice shall have been to that effect) and all the stipulations contained therein shall cease to be binding on the two Contracting Parties.

ARTICLE XXVII. The present Treaty shall extend also to the Grand Duchy of Luxemburg as long as the same belongs to the German Customs Union.

ARTICLE XXVIII. The present Treaty shall be ratified and the ratifications exchanged at Berlin before the 31st day of July, 1880, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same and affixed thereto their respective seals.

Done at Berlin the twenty-fifth day of March, and at Honolulu the nineteenth day of September, in the year of Our Lord one thousand eight hundred and seventy-nine.

[L. S.]

[L. S.]

[L. S.]

JOHANNES ROSING, DR.,

H. v. KUSSEROW,

HENRY A. P. CARTER.

SEPARATE ARTICLE. Certain relations of proximity and other considerations having rendered it important to the Hawaiian Government to enter into mutual arrangements with the Government of the United States of America by a convention concluded at Washington, the 30th day of January, 1875.

The two High Contracting Parties have agreed, that the special advantages granted by said convention to the United States of America, in consideration of equivalent advantages,

shall not in any case be invoked in favor of the relations sanctioned between the two High Contracting Parties by the present Treaty.

The present separate article shall have the same force and value, as if it were inserted, word for word, in the Treaty signed this day, and shall be ratified at the same time.

In witness whereof, the respective Plenipotentiaries have signed the same and affixed thereto their respective seals.

Done at Berlin the twenty-fifth day of March, and at Honolulu the nineteenth day of September, in the year of Our Lord one thousand eight hundred and seventy-nine.

[L. S.]

JOHANNES ROSING, DR.,

[L. S.]

H. v. KUSSEROW,

[L. S.]

H. A. P. CARTER.

AND WHEREAS, the said Treaty has been now duly ratified by His Majesty the King and His Imperial Majesty of the German Empire, and ratifications exchanged, the said Treaty has become a part of the law of this Kingdom, and all the provisions thereof are to be observed.

[L. S.]

JOHN MAKINI KAPENA,

Minister of Foreign Affairs.

DECLARATION.—The undersigned, Plenipotentiaries, negotiators of the foregoing Treaty of Friendship, Commerce and Navigation and Consular Convention, between the German Empire and the Hawaiian Kingdom, have met to-day and agreed, with the consent of their respective Governments, to the following explanatory notes regarding some dispositions of said Treaty:

First—The third section of Article II, of said Treaty, in regard to marriages, concluded by citizens of the one country in the other, in the forms sanctioned by the laws of the latter, shall be considered and held legal and valid likewise in the former country; provided, that in regard to the material conditions of matrimony, no disposition applicable to such case, according to the law of the native country, is violated or contravened by such marriage.

Second—The clause of Article XII, in regard to the reciprocal exemption of Consular officers, not being citizens of the country where they are accredited, “from all direct or personal or sumptuary taxes, duties or contributions,” is not intended in any case to include customs duties.

Third—The clause in the same Article XII, “if, however,

the said Consular officers are, or become owners of real estate in the country where they reside, or engage in commerce," is intended and shall be construed to mean the engaging of any Consular officer in any business or pursuit for profit extraneous to his consular functions.

Done at Berlin, February 10th, 1880.

HENRY A. P. CARTER,
JOHANNES ROSING,
H. v. KUSSEROW.

(26) PROVISIONAL CONVENTION

BETWEEN PORTUGAL AND THE HAWAIIAN ISLANDS.

His Majesty the King of the Hawaiian Islands and His Majesty the King of Portugal and of Algarves, equally desirous of binding and strengthening the relations of friendship and commerce which happily exist between their respective States, have resolved to conclude a Convention to regulate temporarily these relations, until a definite treaty can be made, and for this purpose have appointed their Plenipotentiaries, namely:

His Majesty the King of the Hawaiian Islands, Mr. Henry A. P. Carter, member of His Privy Council of State, Grand Officer of the Royal Order of Kalakaua, His Envoy Extraordinary and Minister Plenipotentiary at this Court; and His Majesty the King of Portugal and the Algarves, Mr. Antonio de Serpã Pimental, Counselor of State, Peer of the Realm, Minister and Secretary of State of Foreign Affairs; who, after communicating each to the other their full powers, which they found in good and due form, agreed to the following:

ARTICLE I. The Consular Agents, the subjects, the ships and products of the soil, or of the industry of one of the two countries, will enjoy on the territory of the other the same exemptions, privileges, and immunities which other Consular Agents, subjects, ships and products of the soil, or of the industry of the most favored nation, enjoy.

ARTICLE II. It is, therefore, understood that the special advantages which Portugal may judge convenient to grant to Brazil cannot be claimed by the Hawaiian Islands, in virtue of their right of a most favored nation, and that in the same way, the advantages which these Islands grant to the United States cannot be claimed by Portugal.

ARTICLE III. The High Contracting Parties equally desirous of conciliating individual liberty with regard to the contract for service with the regulations necessary to be adopted to regulate conveniently the emigration, agree that until a definite convention is made for this purpose, the following conditions be observed:

1. That the two Governments will render mutual help to oblige the captains of vessels which transport emigrants from one country to the other to observe the regulations in force in the country where the emigrants embark, with regard to the space which every one ought to occupy, the

quantity and quality of food, medicine, and all sanitary and hygienic conditions.

2. That in view of this, the Diplomatic or Consular Agents of each of the two countries will be given all the facilities to inspect the vessels that arrive with emigrants to the ports of the other country, and see if the respective captains have complied with the regulations to which the preceding clause refers.

3. That to the same Diplomatic or Consular Agents shall be equally given all the facilities that they may satisfy themselves whether the contracts for service for their countrymen have been fulfilled, and to secure for them, in case of violation, all the protection of the laws and of the local authorities.

ARTICLE IV. The present Convention shall be ratified and the ratifications shall be exchanged in Honolulu or in Lisbon, as soon as possible.

ARTICLE V. The present Convention shall take effect sixty days after the ratifications are exchanged, and will remain in force until one of the High Contracting Parties shall notify the other of its intention to abrogate the Treaty remaining in force (after) one year after this notice, counting from the date of the notification.

It is understood that in all respects when not depending on Legislative authority, the present Convention shall come into effect in the Hawaiian Kingdom as soon as approved by the Hawaiian Government, and in Portugal as soon as such approval shall be notified to the Portuguese Government.

In testimony of which, the respective Plenipotentiaries hereby sign and place their respective seals.

Made in Lisbon, in duplicate, on the fifth day of May, in the year of Our Lord eighteen hundred and eighty-two.

[L. s.]	ANTONIO DE SERPA PIMENTAL,
[L. s.]	HENRY A. P. CARTER.

AND WHEREAS, We, Kalakaua, have fully examined all the points and articles thereof, by and with the advice of Our Cabinet Council, We have confirmed and ratified the foregoing Provisional Convention, and We do confirm and ratify the same, in the most effectual manner, promising on Our faith and word as King, for Us and Our successors, to fulfill and observe it faithfully and scrupulously in all its clauses.

In faith of which, We have signed this ratification with Our hand, and have affixed thereto the great Seal of Our Kingdom.

Done at Our Palace of Iolani, in the City of Honolulu, this twenty-sixth day of August, in the year of Our Lord
 [L. s.] one thousand eight hundred and eighty-two, and the eighth of Our Reign.

KALAKAUA REX.

By the King:

WALTER MURRAY GIBSON,
 Minister of Foreign Affairs.

All persons are hereby notified that the above Convention is to be regarded, in all its provisions, as part of the laws of this Kingdom, and respected accordingly.

[L. s.] WALTER MURRAY GIBSON,
 Minister of Foreign Affairs,

Department of Foreign Affairs, Honolulu, August 26th,
 1882.



CONVENTION

(27)
 BETWEEN THE EMPIRE OF JAPAN AND THE KINGDOM OF THE
 HAWAIIAN ISLANDS.

WHEREAS, a large number of the subjects of His Majesty the Emperor of Japan have emigrated to the Hawaiian Islands; and, whereas, it is not unlikely that others of His Imperial Majesty's subjects may desire to take advantage of the system of free and voluntary emigration, which has been established, and which it is intended by this Convention to confirm; and, whereas, it is equally the desire of His Majesty the King of the Hawaiian Islands, and His Majesty the Emperor of Japan to afford the emigrants the most ample and effectual protection compatible with the Constitution and Laws of Hawaii, His Majesty the King of the Hawaiian Islands and His Majesty the Emperor of Japan, being resolved to treat upon these important subjects, have, for that purpose, appointed their respective Plenipotentiaries to negotiate and conclude an Emigration Convention, that is to say:

His Majesty the King of the Hawaiian Islands, Robert Walker Irwin, Knight Commander of the Royal Order of Kalakaua, His Majesty's Charge d'Affaires and Consul General at Tokio, and His Majesty the Emperor of Japan, Count Inouye Kaoru, Jusammi, His Imperial Majesty's Minister of State for Foreign Affairs, First Class of the Order of the Rising Sun, etc., who, after a reciprocal communication of their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:

ARTICLE I. It is mutually agreed between the Contracting Parties, that the several stipulations contained in this Convention shall, so far as the same are applicable, embrace as well the subjects of His Majesty the Emperor of Japan, who have already emigrated to the Hawaiian Islands, as those who may hereafter emigrate thither.

ARTICLE II. The Government of His Majesty the Emperor of Japan agree that in pursuance of the provisions of this Convention, and so long as the same shall remain in force, Japanese subjects may freely emigrate to the Hawaiian Islands. But nothing herein contained shall be held to deprive His Imperial Majesty's Government of the right, in individual cases, to prohibit such emigration, or at their pleasure generally to limit, suspend, or prohibit such emigration, if in their judgement the exigencies of the State,

or the welfare of the Japanese subjects, justifies such action. It is, however, understood that this right shall not be arbitrarily exercised, neither shall it be enforced against intending emigrants, in respect of whom the Japanese Government shall have given the permission provided for in Article III hereof.

ARTICLE III. All emigration under this Convention shall be carried on between the Ports of Yokohama and Honolulu. The Kenrei of Kanagawa shall, in all matters connected therewith, represent and act on behalf of the Japanese Government. His Hawaiian Majesty's Government engage to appoint a Special Agent of the Hawaiian Board of Immigration to reside at Yokohama. The appointment of such agent shall be subject to the approval of the Japanese Government.

It shall be the duty of the said Agent to correspond and consult with the said Kenrei upon all matters connected with the subject of Japanese emigration to Hawaii, and he shall moreover be charged with the duty of making all necessary arrangements with reference to the embarkation and transportation of intending emigrants. Whenever emigrants are desired, the said Agent shall give the said Kenrei at least one month's previous notice, setting forth the number and class of persons desired, to which notice the said Kenrei shall, without unnecessary delay, reply, giving the determination of His Imperial Majesty's Government in that behalf. In default of such notice, or in default of a favorable reply thereto from the said Kenrei, the concluding paragraph of the last preceding Article hereof shall not apply.

ARTICLE IV. All emigration under this Convention shall be by contract. The contracts shall be for periods not exceeding three years, and shall be in accordance with a form to be approved by both Governments. The contracts shall be concluded at Yokohama, by and between the Special Agent of the Hawaiian Board of Immigration, in the name and on behalf of the Hawaiian Government and the intending emigrants, and shall be approved by the Kenrei of Kanagawa. During the continuance of any such contracts, the Hawaiian Government shall assume all the responsibilities of employer towards the emigrants, and shall consequently be responsible for the due and faithful performance of all the conditions of such contracts. And, at the same time, the said Government of Hawaii guarantees to each and every Japanese emigrant the full and perfect protection of the laws

of the Kingdom, and will endeavor at all times and under all circumstances to promote the welfare and comfort of such emigrants.

ARTICLE V. His Hawaiian Majesty's Government agrees, moreover, to furnish all emigrants, under this Convention, free steerage passage, including proper food, from Yokohama to Honolulu, in first class passenger steamers. The steamers selected for the purpose of transporting such emigrants shall be approved by the Kenrei of Kanagawa.

ARTICLE VI. In order to ensure the proper fulfillment of the terms of the Contracts entered into between the Board of Immigration of the Hawaiian Kingdom and any Japanese emigrants, and to afford full protection to such emigrants in the enjoyment of their rights under the Laws of the Hawaiian Kingdom, His Hawaiian Majesty's Government will provide and employ, during the continuance of any of the contracts aforesaid, a sufficient number of Inspectors and Interpreters who shall be able to speak and interpret the Japanese and English languages, and the services of such Interpreters shall at all times be rendered without charge to such emigrants, in the Courts of the Hawaiian Kingdom, in any suits arising out of or concerning any such Contracts, in which such emigrants may be plaintiffs, defendants, complainants or accused.

ARTICLE VII. The Government of His Hawaiian Majesty will, during the continuance of any of the Contracts provided for by this Convention, employ a sufficient number of Japanese physicians to attend the emigrants, and will give to the said physicians the status of Government physicians, and will station them in such localities as may from time to time appear to be desirable in order to afford the emigrants all necessary medical aid.

ARTICLE VIII. His Hawaiian Majesty's Government further agree that the Diplomatic and Consular Agents of Japan in Hawaii shall at all times have free and unrestricted access to all Japanese emigrants; they shall be afforded every facility to satisfy themselves that the Contracts are being fulfilled in good faith; and they shall also have the right, in case of violation thereof; to ask and obtain the protection of the laws and the local authorities of Hawaii.

ARTICLE IX. The well-being, happiness and prosperity of Japanese subjects emigrating to Hawaii, being equally objects of solicitude to both the Contracting Parties, His Imperial Japanese Majesty's Government consent that His

Hawaiian Majesty's Government shall have the right to send back to Japan all evil-disposed, vicious or vagrant Japanese subjects in Hawaii, who may create trouble or disturbance, or encourage dissipation of any kind among the emigrants, or who may become a charge upon the State.

ARTICLE X. The present Convention shall be ratified, and the ratifications shall be exchanged at Honolulu as soon as possible.

ARTICLE XI. The present Convention shall take effect immediately upon the exchange of the ratifications thereof, and shall remain in force for the period of five years; and thereafter until six months previous notice shall have been given by one of the Contracting Parties to the other of its intention to abrogate it.

In testimony whereof, the respective Plenipotentiaries have signed the Present Convention in the English language, and have hereunto affixed their seals.

Done at the City of Tokio this twenty-eighth day of the first month of the nineteenth year of Meiji, corresponding to the twenty-eighth day of January, in the eighteen hundred and eighty-sixth year of the Christian Era.

(Signed)	R. W. IRWIN,	[L. s.]
(Signed)	INOUE KAORU.	[L. s.]

Now be it known that the above Convention has been duly ratified by His Majesty the King and His Imperial Majesty the Emperor of Japan, and the said ratifications have been duly exchanged.

Therefore, the said Convention has become a part of the law of this Kingdom, and all the provisions thereof are to be observed accordingly.

[L. s.]	WALTER M. GIBSON,
	Minister of Foreign Affairs.

Foreign Office, Honolulu, March 8, 1886.

(28) UNIVERSAL POSTAL UNION.

ADDITIONAL ACT OF LISBON TO THE CONVENTION OF THE
1ST OF JUNE, 1878,

CONCLUDED between Germany, the United States of America, the Argentine Republic, Austro-Hungary, Belgium, Bolivia, Brazil, Bulgaria, Chili, the United States of Colombia, the Republic of Costa Rica, Denmark and the Danish Colonies, the Dominican Republic, Egypt, Ecuador, Spain and the Spanish Colonies, Great Britain and certain British Colonies, Canada, British India, Greece, Guatemala, the Republic of Hayti, the Kingdom of Hawaii, the Republic of Honduras, Italy, Japan, the Republic of Liberia, Luxembourg, Mexico, Montenegro, Nicaragua, Paraguay, the Netherlands and the Netherland Colonies, Peru, Persia, Portugal and the Portuguese Colonies, Roumania, Russia, Salvador, Servia, the Kingdom of Siam, Sweden and Norway, Switzerland, Turkey, Uruguay and the United States of Venezuela.

The undersigned, Plenipotentiaries of the Governments of the countries specified below, assembled in Congress at Lisbon. In virtue of Article XIX of the Convention concluded at Paris on the 1st of June, 1878. Have by common consent, and subject to ratification, resolved upon the following Additional Act.

ARTICLE I. The Convention of the 1st of June, 1878, is altered as follows:

I. Article II shall henceforth read as follows:

Article II. The stipulations of this Convention extend to letters, post cards, both single and with reply paid, printed papers of every kind, commercial papers and patterns or samples of merchandise, originating in one of the countries of the Union, and intended for another of those countries. They also apply, as far as regards conveyance within the Union, to the exchange by post of the articles above mentioned between the countries of the Union and countries foreign to the Union, whenever the services of two of the Contracting Parties at least are used for that exchange.

All the Contracting Countries are not bound to issue cards with reply paid, but they assume the obligation of returning the reply halves of cards received from other countries of the Union.

II. Article IV is altered as follows:

Paragraph 8 is replaced by the following stipulation:

2. That in all cases where the sea transit rate is fixed at present at 5 francs per kilogramme of letters or post cards, and at 50 centimes per kilogramme of other articles, those rates are maintained.

Paragraph 13 is altered as follows:

The general accounting for those charges takes place on the basis of statements prepared every three years during a period of 28 days, to be determined on in the Detailed Regulations referred to in Article XIV hereafter.

Paragraph 14 is replaced by the following stipulation:

Correspondence between Postal Administrations, the reply halves of double post cards, returned to the country of origin, articles redirected or missent, undelivered articles, acknowledgments of delivery, post office money orders or advices of the issue of orders, and all other documents relative to the Postal Service, are exempt from all charges for territorial or sea transit.

III. Article V is altered as follows:

The 3rd paragraph shall henceforth read:

2. For post cards, 10 centimes for single cards or for each of the two halves of cards with reply paid.

The 2nd sentence of the 7th paragraph, beginning with the words "As a temporary measure" is cancelled.

The 14th paragraph shall henceforth read:

4. Lastly, packets of commercial papers and printed papers of every kind the weight of which exceeds 2 kilogrammes, of which measure in any one direction more than 45 centimetres.

IV. Between Articles V and VI, a new article is interpolated in these terms:

Article V *bis*. The sender of a letter or other article can have it withdrawn from the post or have its address altered, so long as such article has not been delivered to the addressee.

The request for such withdrawal is sent by post or by telegraph at the expense of the sender, who must pay as follows:

1. For every request by post the rate applicable to a registered single letter.

2. For every request by telegraph, the charge for a telegram according to the ordinary tariff.

The stipulations of this Article are not obligatory for countries in which the legislation does not permit the sender to dispose of an article in its course through the post.

V. The last five paragraphs of Article VI, after the words "In case of the loss of a registered article, &c.," are cancelled, and, following that article, a new article is added, thus:

Article VI. *bis.* In case of the loss of a registered article, and except in cases beyond control, the sender, or, at the request of the sender, the addressee is entitled to an indemnity of 50 francs.

The obligation of paying the indemnity rests with the Administration to which the despatching office is subordinate. To that Administration is reserved a remedy against the Administration responsible, that is to say, against the Administration on the territory or in the service of which the loss took place.

Until the contrary be proved, the responsibility rests with the Administration which, having received the article without making any observation, cannot establish the delivery to the addressee or the regular transfer to the following Administration, as the case may be.

The payment of the indemnity by the despatching office ought to take place as soon as possible, and at the latest within a year of the date of the application. The responsible office is bound to refund to the despatching office, without delay, the amount of the indemnity paid by the latter.

It is understood that the application for an indemnity is only entertained if made within a year of the posting of the registered article; after this term the applicant has no right to any indemnity.

If the loss occurred in course of conveyance between the exchanging offices of two adjacent countries, without its being possible to ascertain on which of the two territories the loss took place, the two Administrations concerned bear each a half of the loss.

The Administrations cease to be responsible for registered articles for which the owners have given a receipt on delivery.

As a temporary measure, the Administrations of countries beyond Europe, whose legislation is actually opposed to the principle of responsibility, are permitted to postpone the application of the preceding clause until the time when they shall have obtained by legislative enactment authority to subscribe to it. Up to that time the other Administrations

are not bound to pay an indemnity for the loss, in their respective services, of registered articles addressed to or originating in the said countries.

VI. Between Articles IX and X a new Article is interpolated in these terms:

Article IX *bis*. At the request of the sender, all classes of correspondence are sent to the addresses by a special messenger immediately on arrival in those countries of the Union which consent to undertake this service in their reciprocal relations.

Such correspondence, which is called "express," is subject to a special charge for delivery; this charge is fixed at 30 centimes, and must be fully paid in advance by the sender, in addition to the ordinary postage. It belongs to the Administration of the country of origin.

When an article is destined for a place where there is no Post Office, the postal Administration of the country of destination can levy an additional charge, up to the amount of the price fixed for delivery by express in its inland service, less the fixed charge paid by the sender, or its equivalent in the money of the country which levies this additional charge.

"Express" letters, &c., upon which the total amount of the charges payable in advance has not been prepaid are delivered by the ordinary means.

VII. Article X shall henceforth read as follows:

Article X. No supplementary postage is charged for the redirection of postal packets within the interior of the Union.

Undelivered correspondence does not when returned give rise to the repayment of the transit charges due to intermediary Administrations for the previous conveyance of such correspondence.

VIII. The first three paragraphs of Article XI are cancelled, and replaced by the following stipulations:

It is forbidden to the public to send by post—

1. Letters or packets containing pieces of money;
2. Any packets whatever containing articles liable to Customs duty.

3. Gold or silver bullion, precious stones, jewelry, or other precious articles, but only in case their insertion or transmission is forbidden by the legislation of the countries concerned.

IX. Article XIII is altered as follows:

Article XIII. The exchange of letters of declared value, the post office money order system, the parcel post system, the collection of bills of exchange, &c., the system of certificates of identity, &c., from the subject of special arrangements between the various countries or groups of countries composing the Union.

X. The end of the last paragraph of Article XIV, beginning with the words "for the conditions of the delivery of letters by express," &c., is cancelled, and this paragraph, will read henceforth:

The Administrations interested are, however, permitted to come to mutual arrangements for the adoption of lower rates of postage within a radius of 30 kilometres.

XI. The 1st paragraph of Article XV is to read as follows:

The present Convention does not involve alteration in the legislation of any country as regards anything which is not provided for by the stipulations contained in this Convention.

XII. Article XVII is altered as follows:

Article XVII. In case of disagreement between two or more members of the Union as to the interpretation of the present Convention, or as to the responsibility of an Administration in case of the loss of a registered article, the question in dispute is decided by arbitration. To that end, each of the Administrations concerned chooses another member of the Union not directly interested in the matter.

The decision of the arbitrators is given by an absolute majority of votes.

In case of an equality of votes the arbitrators choose, with the view of settling the difference, another Administration equally uninterested in the question in dispute.

The stipulations of the present Article apply equally to all the agreements concluded in virtue of Article XIII of the Convention of the 1st of June, 1878, modified by Article I, Section 9, of the present additional Act.

XIII. The 2nd and 3rd paragraphs of Article XX will read henceforth:

1. Unanimity of votes if they involve any modification of the stipulations of the present Article or the foregoing Articles II, III, IV, V, *V bis*, VI, *VI bis*, IX and *IX bis*.

2. Two-thirds of the votes, if they involve a modification

of the stipulations of the Convention other than those of Articles II, III, IV, V, V *bis*, VI, VI *bis*, IX, IX *bis*, and XX.

ARTICLE II. 1. The present Additional Act shall come into force on the 1st of April, 1886, and shall have the same duration as the Convention concluded at Paris on the 1st of June, 1878.

2. It shall be ratified as soon as possible. The deeds of ratification shall be exchanged at Lisbon.

In faith of which the Plenipotentiaries of the countries enumerated above have signed the present additional Act at Lisbon on the twenty-first of March, one thousand eight hundred and eighty-five.

For Great Britain & certain English Colonies—S. A. Blackwood, H. Buxton Forman.

Germany—Sachse, Fritsch.

United States of America—William T. Otto, Jas. S. Crawford.

Argentine Republic—F. P. Hansen.

Austria—Dewez, Vargas.

Hungary—Gervay.

Belgium—F. Gife.

Bolivia—Joaquin Caso.

Brazil—Luiz C. P. Guimarães.

Bulgaria—R. Ivanoff.

Chili—M. Martinez.

United States of Colombia—César Conto.

Republic of Costa Rica—

Denmark and the Danish Colonies—Lund.

Dominican Republic—P. Gomez da Silva.

Egypt—W. F. Halton.

Ecuador—Antonio Flores.

Spain and the Spanish Colonies—S. Alvarez Bugallal, A. Herce.

France—Laboulaye, A. Besnier.

The French Colonies—Laboulaye.

Canada—S. A. Blackwood, H. Buxton Forman.

British India—H. E. M. James.

Greece—Eugène Borel.

- Guatemala—J. Carrera.
 Republic of Hayti—Laboulaye, Ansault,
 Kingdom of Hawaii—Eugène Borel.
 Republic of Honduras—J. Carrera.
 Italy—J. B. Tantesio.
 Japan—Yasushi Nomura.
 Republic of Liberia—Comte Senmarte.
 Luxembourg—Ch. Rischard.
 Mexico—L. Breton y Vedra.
 Montenegro—Dewez, Varges.
 Nicaragua—Manuel J. Alves Diniz,
 Paraguay—F. A. Rebello.
 The Netherlands and the Netherland Colonies—Hof-
 stede, B. Sweerts de Landes-Wyborgh.
 Peru—
 Persia—N. Semino.
 Portugal—Guilhermino Augusto de Barros, Ernesto Ma-
 deiro Pinto.
 Portuguese Colonies—Guilhermino Augusto de Barros.
 Roumania—Jon Ghika.
 Russia—N. de Besack, Georges de Poggenpohl.
 Salvador—
 Servia—
 Kingdom of Siam—Prisdang.
 Sweden—W. Roos.
 Norway—Harald Asche.
 Switzerland—Ed. Höhn.
 Turkey—
 Uruguay—Enrique Kubly.
 Venezuela—J. L. Perā Crespo.

FINAL PROTOCOL—At the moment of proceeding to sign the Convention settled by the Universal Postal Congress of Lisbon, the undersigned Plenipotentiaries have agreed as follows:

1. Peru, Salvador, Servia and Turkey which form part of the Postal Union, not having sent representatives to the Congress, the Protocol remains open for them to adhere to the Conventions which have been concluded by it, or only to one or other of them. This is equally the case in regard

to the Republic of Costa Rica, whose representative is not present at the sitting during which the Acts will be signed.

2. The British Colonies of Australia and the British Colonies of the Cape and Natal shall be admitted to adhere to those Conventions, or to one or other of them, and the Protocol remains open to them for that purpose.

3. The Protocol remains open in favor of the countries whose representatives have signed to-day the principal Convention alone, or only a certain number of the Conventions settled by the Congress, in order to allow them to adhere to the other Conventions signed this day or to one or other of them.

4. The adhesions contemplated in the foregoing Articles 1, 2 and 3 must be notified to the Portuguese Government by the respective Governments, in diplomatic form. The term accorded for that notification will expire on the 1st of February, 1886.

5. The representatives of the countries which have not hitherto adhered to one or other of the undermentioned Conventions, namely:

The Convention of the 1st of June, 1878;

The Agreement, dated the 1st of June, 1878, concerning the exchange of letters with value declared;

The Agreement of the 4th of June, 1878, concerning the exchange of postal money orders;

The Convention of the 3rd of November, 1880, concerning the exchange of postal parcels without declaration of value;

Having been admitted to participate in the additional Acts modifying and completing those Conventions and Agreements, their signature at the foot of one or other of such additional Acts implies on their part, subject to ratification, adhesion in the name of their respective countries to the Convention or Agreement to which such additional Act relates, from the date on which the latter comes into force.

VI. In case one or more of the Contracting Parties to the Postal Conventions, signed to-day at Lisbon, shall not ratify one or other of those Conventions, that Convention shall be none the less valid for the States which shall have ratified it.

In faith of which the under-mentioned Plenipotentiaries have drawn up the present final Protocol, which shall have the same force and value as if its provisions were inserted in the text itself of the Conventions to which it relates; and they

have signed it on a single copy which shall remain in the archives of the Portuguese Government, and of which a copy shall be handed to each party.

Lisbon, the twenty-first of March, one thousand eight hundred and eighty-five.

[Here follow the signatures of the Delegates of the Governments of Germany, the United States of America, the Argentine Republic, Austria, Hungary, Belgium, Bolivia, Brazil, Bulgaria, Chili, the United States of Colombia, Denmark and the Danish Colonies, the Dominican Republic, Egypt, Ecuador, Spain and the Spanish Colonies, France, the French Colonies, Great Britain and certain British Colonies, Canada, British India, Greece, Guatemala, the Republic of Hayti, the Kingdom of Hawaii, the Republic of Honduras, Italy, Japan, the Republic of Liberia, Luxembourg, Mexico, Montenegro, Nicaragua, Paraguay, the Netherlands and Netherland Colonies, Persia, Portugal, the Portuguese Colonies, Roumania, Russia, the Kingdom of Siam, Sweden, Norway, Switzerland, Uruguay and Venezuela.]

RULES

FOR THE REGULATION OF A MONEY ORDER SYSTEM BETWEEN HAWAII AND HONG-KONG.

1. The Offices of Exchange for Money Order advices and accounts shall be Hong-Kong and Honolulu, only.
2. Hong-Kong may issue Orders payable at any Money Order Office in Hawaii, and Honolulu may issue Orders payable at any Money Order Office in China or at Macao.
3. All Orders are to be drawn in Dollars, each Office making its own arrangements as to rates of exchange and form of order and advice.
4. No single order shall exceed \$50. The granting of more than two \$50 Orders to the same person in favor of the same payee, by the same mail, is considered undesirable by the Hong-Kong Office, which does not, however, refuse to honor such Orders.
5. Each Office shall fix its own rate of commission and advise the other Office what its rates are.
6. Each Office shall credit the other with 1 per cent. on the total amount of Orders issued by such Office.
7. As soon as any Order is issued, relative advice shall be forwarded by the first opportunity.

8. All Orders shall be paid without deduction. Payment of any order made before the arrival of the Advice is at the risk of the country making it.

9. At the end of every six months, whichever office shall have a claim against the other, shall prepare an account embracing the entire series of Orders issued by both Offices during such six months, and shewing the balance due. Such balance must be remitted by the Office owing it by Bill of Exchange. These periodical settlements are not, however, to supercede frequent remittances on account, where all or nearly all the Orders are in one direction.

10. Money Orders which shall not have been paid within 12 months from the date of the issue thereof, shall be considered void, and the amount thereof shall be placed to the credit of the country of origin in the half-yearly accounts.

11. All these rules are open to revision by common consent from time to time.

12. The Money Order System shall come into force from April 1st, 1885.

Signed in duplicate at Honolulu this 13th day of December, A. D. 1884.

H. M. WHITNEY,
Postmaster General.

And at Hong-Kong this fifth day of February, 1885.

ALFRED LISTER,
Postmaster General.

I approve of the above Rules.

CHARLES T. GULICK,
Minister of the Interior.

Honolulu, December 13th, 1884.

I approve of the above Rules.

By order.

W. H. MARSH,
Colonial Secretary.

Hong-Kong, February 6th, 1885.

CONVENTION

BETWEEN THE POST OFFICE DEPARTMENT OF THE UNITED STATES OF AMERICA AND THE POST OFFICE DEPARTMENT OF THE KINGDOM OF HAWAII, CONCERNING THE EXCHANGE OF MONEY ORDERS.

THE Government of the Republic of the United States of America and the Government of His Majesty the King of Hawaii, being desirous of facilitating the exchange of sums of money between the two countries by making use of postal money orders, the undersigned, W. Q. Gresham, Post Master General of the United States of America, in virtue of the powers vested in him by law, and H. A. P. Carter, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Hawaii, in the name of his Government, and by virtue of the powers which he has formally presented to this effect, have agreed upon the following Convention:

ARTICLE I. There shall be a regular exchange of money orders between the two countries.

The maximum of each order is fixed at fifty dollars (\$50.00.)

No money order shall include a fractional part of a cent.

The amount of each order, whether issued in the United States or in the Kingdom of Hawaii, must be expressed in letters as well as in figures.

ARTICLE II. The Hawaiian Post Office Department shall have power to fix the rates of commission on all money orders issued in the Kingdom of Hawaii, and the Post Office Department of the United States shall have the same power in regard to all money orders issued in the United States.

Each Department shall communicate to the other its tariff of charges, or rates of commission, which shall be established under this Convention, and these rates shall, in all cases, be payable in advance by the remitters, and shall not be repayable.

It is understood, moreover, that each Department is authorized to suspend, temporarily, the exchange of money orders in case the course of exchange, or any other circumstance should give rise to abuses, or, cause detriment to the postal revenue.

ARTICLE III. Each country shall keep the commission

charged on all money orders within its jurisdiction, but shall pay to the other country three-fourths of one per cent. on the amount of such orders.

ARTICLE IV. The service of the postal money order system between the two countries shall be performed exclusively by the agency of offices of exchange. On the part of the United States the office of exchange shall be San Francisco, California, and on the part of the Hawaiian Kingdom, Honolulu.

Orders shall be drawn only on the authorized money order offices of the respective countries; and each Postal Administration shall furnish to the other a list of such offices, and shall, from time to time, notify any addition to, or change in such list. Every order and advice must contain the name of the office and of the country of destination, and if relating to an order payable in the United States, the name of the State in which such office is situated; if relating to an order payable in the Hawaiian Kingdom, the name of the Island.

ARTICLE V. No money order shall be issued unless the applicant furnish the name and address of the person to whom the amount is to be paid, and his own name and address; or, the name of the firm, or company who are the remitters or payees, together with the addresses of each.

The money orders, issued in either country, shall be forwarded by the remitters to the payees, at their own expense.

ARTICLE VI. The advices of all money orders issued upon the Hawaiian Kingdom by the post offices in the United States shall be sent to the office of exchange at San Francisco, where they shall be examined, and, if found correct, impressed with the dated stamp of that office, and transmitted, by the next direct mail, to the exchange office at Honolulu accompanied by a list, in duplicate, drawn upon the model of Form "A."

The advices, on their arrival in Honolulu, shall be compared with the entries in the list, and, afterwards dispatched to the paying offices.

In like manner the advices of money orders, drawn on the United States by Postmasters in the Hawaiian Kingdom, shall be sent to the exchange office at Honolulu, where they shall be examined, and, if found correct, impressed with the dated stamp of that office, and transmitted by the next direct mail, to the exchange office at San Francisco, accompanied by a list, in duplicate, drawn upon the model of Form "B."

The advices, on their receipt at San Francisco, shall be compared with the entries in the list, and afterwards dispatched to the paying offices.

The advices of orders issued in the United States in the month of March, which may arrive at the office of exchange at San Francisco in the earlier days of the following month, shall be entered on lists supplementary to that of the last day of the month of March, and in like manner, the advices of orders issued in the Hawaiian Kingdom in the month of June, which may arrive at the exchange office at Honolulu in the earlier days of the following month, shall be entered on lists supplementary to that of the last day of the month of June.

ARTICLE VII. The lists, dispatched from each office of exchange, shall be numbered consecutively, commencing with No. 1 at the beginning of the month of July in each year; and the entries in these lists shall also have consecutive numbers.

Of each list dispatched a duplicate shall be sent, which duplicate, after being verified by the receiving office of exchange, shall be returned to the dispatching office of exchange.

Each office of exchange shall promptly communicate to the other the correction of any simple error, which it may discover in the verification of the lists.

When the lists shall show irregularities, which the receiving exchange office shall not be able to rectify, that office shall apply for an explanation which shall be afforded without delay.

Should any lists fail to be received in due course, the dispatching exchange office, on receiving information to that effect, shall transmit, without delay, a duplicate of the list, duly certified as such.

ARTICLE VIII. Duplicate orders shall only be issued by the Postal Administration of the country, on which the original orders were drawn, and in conformity with the regulations established, or, to be established in that country.

ARTICLE IX. The orders issued by each country on the other shall be subject, as regards payment, to the regulations which govern the payment of inland orders of the country, on which they were drawn.

The paid orders shall remain in the possession of the country of payment.

ARTICLE X. Repayment of orders to remitters shall not be made until an authorization for such repayment shall first have been obtained by the country of issue from the country where such orders are payable; and the amounts of the repaid orders shall be duly credited to the former country in the quarterly account. (Article XII.)

It is the province of each Postal Administration to determine the manner in which repayment to the remitter is to be made.

ARTICLE XI. Orders which shall not have been paid within 12 calendar months from the month of issue, shall become void, and the sums received shall accrue to and be at the disposal of the country of origin.

The Hawaiian Post Office Department shall, therefore, enter to the credit of the United States, in the quarterly account, all money orders entered in the lists received from the United States, which remain unpaid at the end of the period specified. (Article XII.)

On the other hand the Post Office Department of the United States shall, at the close of each month, transmit to the Hawaiian Post Office Department, for entry in the quarterly account, a detailed statement of all orders included in the lists dispatched from the latter office, which under this Article become void.

ARTICLE XII. At the close of each quarter an account shall be prepared at the Hawaiian Post Office Department, showing in detail the totals of the lists, containing the particulars of orders issued in either country during the quarter, and the balance resulting from such transactions.

Three copies of this account shall be transmitted to the Post Office Department of the United States, at Washington, and the balance, after proper verification, shall, if due by the Post Office Department of Hawaii, be paid at San Francisco, but, if due by the Post Office Department of the United States, it shall be paid at Honolulu.

If pending the settlement of an account, one of the two Postal Administrations shall ascertain that it owes the other a balance exceeding two thousand five hundred dollars (\$2,500), the indebted Administration shall promptly remit the approximate amount of such balance to the credit of the other.

This account shall be in accordance with the forms "C," "D," "E" and "F," annexed to this Convention.

ARTICLE XIII. In the exchange of money orders between the two countries, one dollar in Hawaiian money shall be taken as the equivalent of one dollar in United States money. This standard in either country shall be gold value.

ARTICLE XIV. The United States Postal Administration undertakes to serve as intermediary for the exchange of postal orders from the Hawaiian Kingdom to be paid in any European country with which that Administration maintains an exchange of postal orders, and with which the Postal Administration of the Hawaiian Kingdom does not have such exchange, as well as for the exchange of orders from any such European country destined for payment in the Hawaiian Kingdom, provided the European country interested consent to an arrangement of this nature.

ARTICLE XV. The Postal Administration in each country shall be authorized to adopt any additional rules, (if not repugnant to the foregoing,) for the greater security against fraud, or, for the better working of the system generally.

o All such additional rules, however, must be promptly communicated to the Post Office Department of the other country.

ARTICLE XVI. This present Convention shall take effect on the first day of January, 1884, and shall continue in force until twelve months after either of the contracting parties shall have notified to the other its intention to terminate it.

ARTICLE XVII. The ratifications of the present Convention shall be changed prior to the first day of December, 1883.

In witness whereof, the respective Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Executed in duplicate and signed at Washington, the eleventh day of September, 1883.

[L. s.]

WALTER Q. GRESHAM,
Postmaster General of the United States.

[L. s.]

H. A. P. CARTER,
Envoy Extraordinary and Minister Plenipotentiary of Hawaii to the United States.

I hereby approve the foregoing Convention, and in testimony thereof, I have caused the seal of the United States to be hereto affixed.

CHESTER A. ARTHUR.

By the President:

[L. s.] FRED'K T. FRELINGHUYSEN,
Secretary of State.

Washington, September 13, 1883.

I hereby approve the foregoing Convention, and in testimony thereof, I have caused the seal of the Hawaiian Kingdom to be hereto affixed.

KALAKAUA REX.

By the King:

[L. s.] WALTER M. GIBSON,
Minister of Foreign Affairs and
Premier.

Honolulu, October 13th, 1883.

We, H. A. P. Carter, Envoy Extraordinary and Minister Plenipotentiary of Hawaii to the United States, and W. Q. Gresham, Postmaster General of the United States, certify that on this date we have proceeded to perform the exchange of ratifications of the Convention between the Post Office Department of the Kingdom of Hawaii and the Post Office Department of the United States of America, concerning the exchange of money orders, which was concluded at Washington, on the eleventh day of September, in the year of our Lord one thousand eight hundred and eighty-three.

Done in duplicate, and signed at Washington this second day of November, 1883.

[L. s.] H. A. P. CARTER,
Envoy Extraordinary and Minister Plenipotentiary to the United States.

[L. s.] WALTER Q. GRESHAM,
Postmaster General of the United States.

A.

List No.....

Stamp of
San Francisco
Office.

SIR:—I have the honor to transmit to you, herewith, in duplicate, a List containing a detailed statement of the sums received in the United States since my last despatch (List No. —) for orders payable in the Hawaiian Kingdom, amounting in the aggregate to \$——.

Be pleased to examine, complete, and return to me the original copy of this List, with your acknowledgment of its receipt indorsed thereon.

I am, Sir, your obedient servant,

.....
Postmaster, San Francisco.

TO THE POSTMASTER,
Money-Order Exchange Office, Honolulu.

A.

Blanks to be filled by the despatching Exchange Office of San Francisco.							For use of Post Office Department, Honolulu.				
Current No. of international order.	No. of original order.	Date of original order.	Office issuing original order.	Office where payable.	Payee.		Remitter.		Amount of order.	Date of payment.	Remarks.
					Name.	Address.	Name.				
									\$ c.		

A.

MONEY-ORDER OFFICE,
Honolulu,.....188..

SIR:—I have examined this List of Money-Orders from No. to No., inclusive, for sums received in the United States for payment in the Hawaiian Kingdom, amounting in the aggregate to \$.....

The said List was found to be correct, with the following exceptions:

.....
.....
.....

I am, Sir, your obedient servant,

TO THE POSTMASTER,
Money-Order Exchange Office, San Francisco, Cal.

B.

List No.

Office Stamp,	A List of money-orders issued in the Kingdom of Hawaii and payable in the United States. Despatched this day of, 188.. Date of arrival at San Francisco,.....	Stamp of San Francisco Office.
---------------	--	--------------------------------

Blanks to be filled up by the despatching Exchange Office, Honolulu.

Space for use of San Francisco Office.

Current No. of International order.	No. of original money-order.	Date of original order.	Office of issue.	Full name of remitter.	Address of remitter.			Full name of payee.	Address of payee.			Amount of order,	Office of payment.	
					Place of residence	County.			Place of residence,	County.	State.			
												\$	c.	

C.

Account of the exchange of Money-Orders between the Kingdom of Hawaii and the United States, during the quarter ended....., 188..

Orders issued by the Hawaiian Office.			Orders issued by the United States Office.			
No. of List.	Date of List.	Total amount of each List.	No. of List.	Date of List.	Total amount of each List.	
					\$	c.

D.

Table showing the particulars of such orders as have been repaid to the remitters in the country of issue.

Issued in Hawaiian Kingdom.				Issued in United States.						
No. of List.	Date of List.	No. of international order.	Amount of order.		No. of List.	Date of List.	No. of international order.	Amount of order.		
			\$	c.				\$	c.	
To credit of Hawaiian Office.				To credit of U. S. Office,						

o

E.

Table showing the particulars of such Orders as have become void.

Issued in Hawaiian Kingdom.				Issued in United States.						
No. of List.	Date of List.	No. of international order.	Amount of order.		No. of List.	Date of List.	No. of international order.	Amount of order.		
			\$	c.				\$	c.	
To credit of Hawaiian Office.				To credit of U. S. Office....						

F.

BALANCE.

To credit of Hawaiian Office.				To credit of United States Office.				
	\$	c.		\$	c.		\$	c.
Amount of international orders issued in the United States.				Amount of international orders issued in Hawaii.				
Three-fourths of one per cent. on amount of such issue.				Three-fourths of one per cent. on amount of such issue.				
Amount of void orders of Hawaiian issue as per table.				Amount of void orders of United States issue as per table.				
Amount of international orders repaid in Hawaii as per table.				Amount of international orders repaid in the United States as per table.				
Sums remitted by the office of Hawaii.				Sums remitted by the office of the United States.				
Dates.	Amount.			Dates.	Amount.			
	\$	c.			\$	c.		
Balance remaining due to the United States.				Balance remaining due to the Hawaiian Kingdom.				

The above account exhibits a balance of \$..... remaining due to the Office. Honolulu,

..... 188...

[Signature of proper accounting Officer of the Hawaiian Office.]

The above statement of account is accepted, with a balance of \$.....due to the.....office. Washington.

..... 188...

Auditor of the Treasury for the Post Office Department.

PROCLAMATION.

TREATY BETWEEN THE KINGDOM OF SAMOA AND THE
KINGDOM OF THE HAWAIIAN ISLANDS.

L. S.

By virtue of My inherent and recognized rights as King of the Samoan Islands by My own people and by Treaty with the three Great Powers of America, England and Germany, and by and with the advice of My Government and the consent of Taimua and Faipule, representing the Legislative powers of My Kingdom, I do hereby freely and voluntarily offer and agree and bind Myself to enter into a Political Confederation with His Majesty Kalakaua, King of the Hawaiian Islands, and I hereby give this solemn pledge that I will conform to whatever measures may hereafter be adopted by His Majesty Kalakaua and be mutually agreed upon to promote and carry into effect this Political Confederation, and to maintain it now and forever.

In witness whereof, I have hereunto set My hand and seal this 17th day of February, A. D. 1887.

(M. R.) MALIETOA,
King of Samoa.

By the King:

(Signed) WM. COE.

We, Taimua and Faipule of the Government of Samoa, appointed by the House of Taimua and Faipule, hereby approve of and support the above agreement.

(Signed)

Taimua—Utumapu, of the District of Itu o tane;
Pau, of the District of Faasaleleaga;
Tuisam, of the District of Lufi Lufi;
Tuao, of the District of Lulumoega;
Leiataua, of the District of Manono;
Teo, of the District of Tuamasaga;
Su, of the District of Faleao Palauli;
Molioo, of the District of Atua.

Faipule—Tafi, of the District of Loa Atua;
 Vaafai, of the District of Launuia;
 Uuga, of the District of Itu tane;
 Alipia, of the District of Leulumoega;
 Taotua, of the District of Faasaleleaga;
 Faanaua, of the District of Itu teme;
 Sao, of the District of Itu teme;
 Vailun, of the District of Aana.

(Signed)

WILLIAM COE,

LE MAMEA,

Assistant Secretary of State. Minister of Interior.

etc., etc.

I hereby certify that the foregoing is a full and true translation of the original document in the Samoan language.

WILLIAM COE,)

H. S. M.'s Interpreter.

KALAKAUA, by the Grace of God of the Hawaiian Islands, King: To all to whom these Presents shall come, Greeting: Whereas on the seventeenth day of February last past His Majesty Malietoa, King of the Samoan Islands, entered into an Agreement and Treaty binding himself to enter into a Political Confederation with Us, and whereas the said Agreement and Treaty was at the same time approved by the Taimua and Faipule of Samoa and accepted in Our name by Our Minister Plenipotentiary, Honorable John E. Bush, now, therefore, having read and considered the said Agreement and Treaty, We do by these Presents approve, accept, confirm and ratify it for Ourselves, Our Heirs and Successors, subject to the obligations which His Majesty Malietoa may be under to those Foreign Powers with which He and the People of Samoa and the Government thereof have at this time any treaty relations, engaging and promising upon Our Royal Word to enter into Political Confederation with His Majesty King Malietoa, and to conform to such measures as may be hereafter agreed upon between Us for the carrying into effect of such Confederation. For the greater testimony and validity of all which We have caused the Great Seal of Our Kingdom to be affixed to these Presents, which We have signed with Our Royal hand.

Given at Our Palace of Iolani this Twentieth
[L. S.] Day of March, in the Year of Our Lord One Thousand
and Eight Hundred and Eighty-seven, and in the
Fourteenth Year of Our Reign.

(M. R.) KALAKAUA.

By the King:

(Signed) WALTER M. GIBSON,

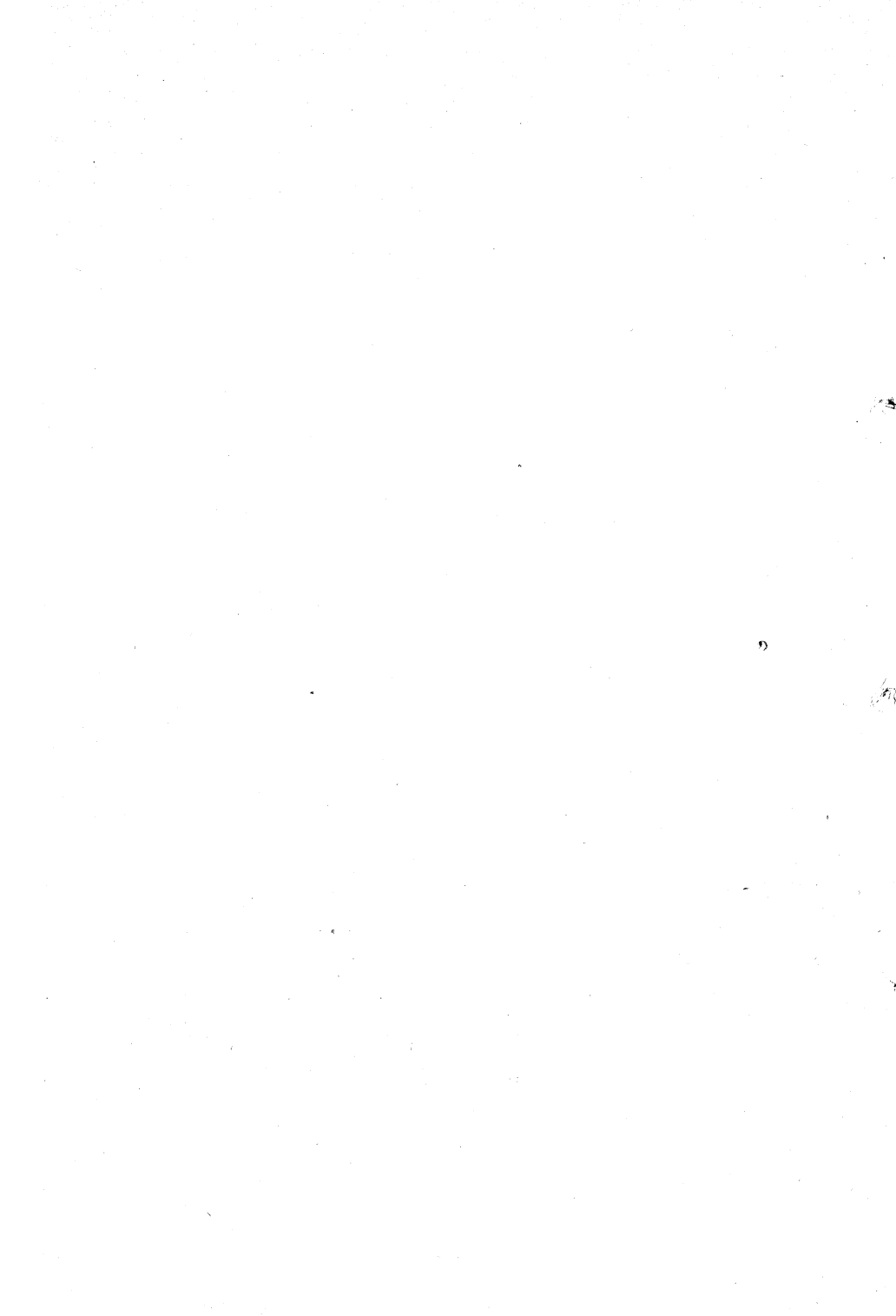
Minister of Foreign Affairs and Premier.

Now be it known that the above Treaty having been duly
accepted and ratified by His Majesty the King:

Therefore the said Treaty has become a part of the laws
of this Kingdom and is to be observed accordingly.

WALTER M. GIBSON,
Minister of Foreign Affairs.

Foreign Office, Honolulu, March 21, 1887.



RATIFICATION OF FINAL PROTOCOL OF LISBON.

WE, KALAKAUA, by the Grace of God, of the Hawaiian Islands King; having caused to be examined all the points and articles of the foregoing Final Protocol to the Additional Act of Lisbon, to the Convention of June 1st, 1878, of the Universal Postal Union, signed by the Plenipotentiaries of Hawaii, and of the other countries specified above, on the twenty-first day of March, A. D. 1885, and the same being found to be satisfactory, do hereby confirm and ratify the said Final Protocol.

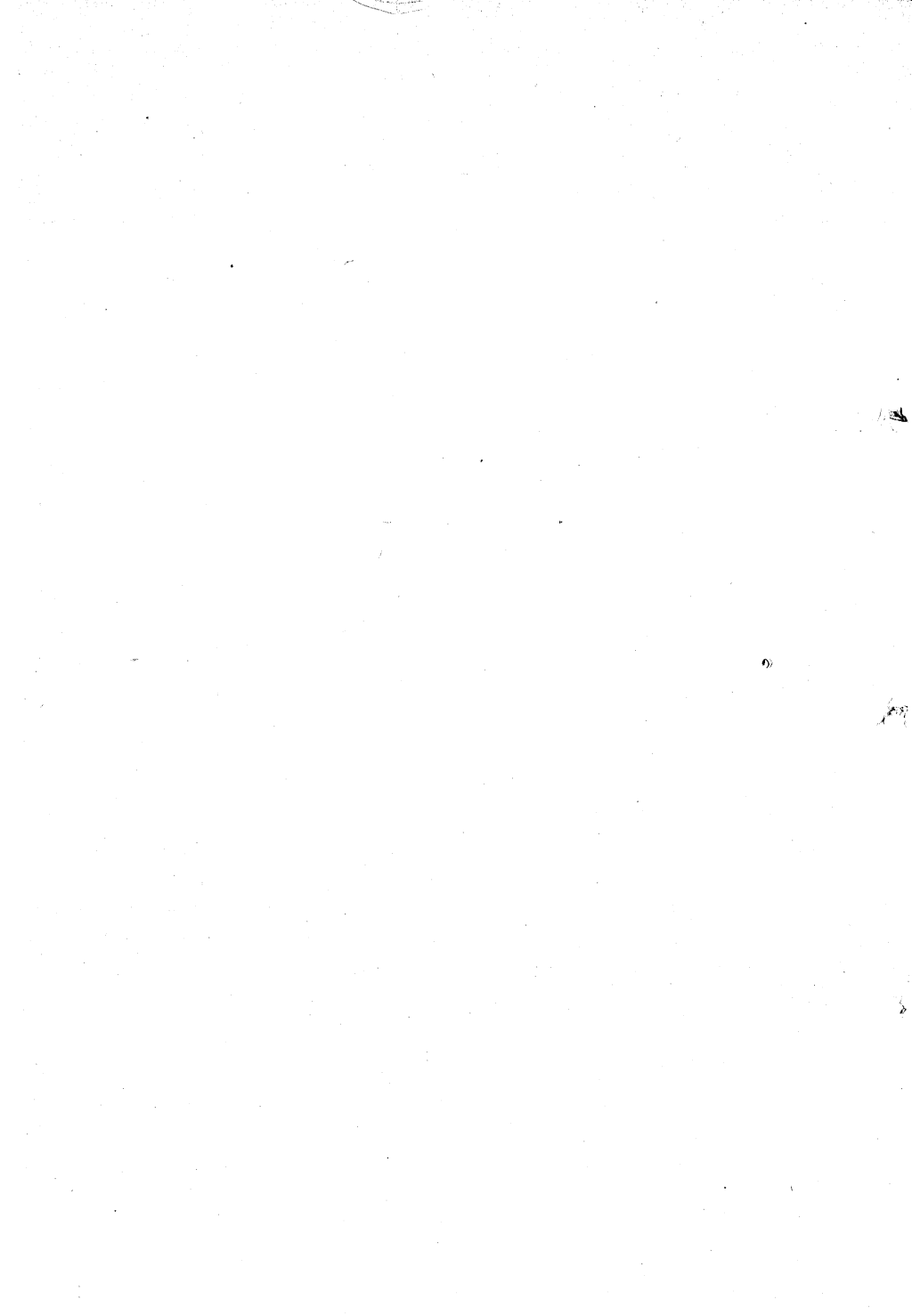
In faith of which, We have signed this ratification with Our hand, and have caused to be affixed thereto the Great Seal of Our Kingdom.

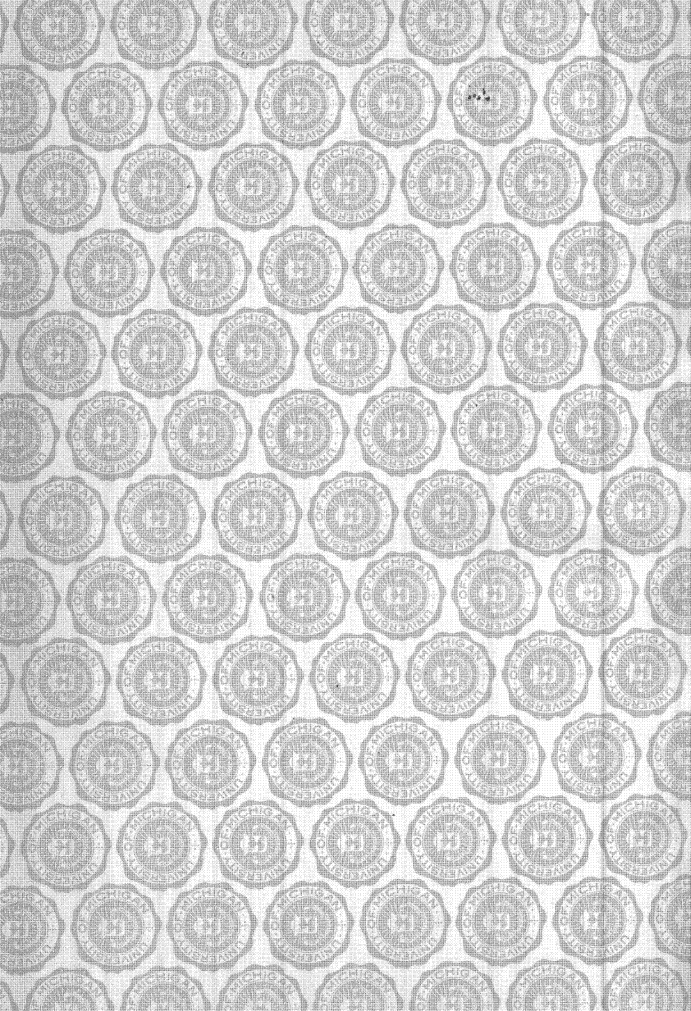
[L.S.] Done at Our Palace of Iolani, in the City of Honolulu, this ninth day of November, in the year of Our Lord one thousand eight hundred and eighty-six, and the thirteenth year of Our Reign.

KALAKAUA REX.

By the King:

WALTER M. GIBSON,
Minister of Foreign Affairs.





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